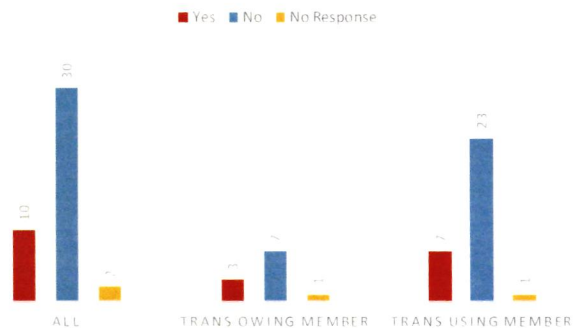


RETAIL & WHOLESALE SYNCHRONIZATION

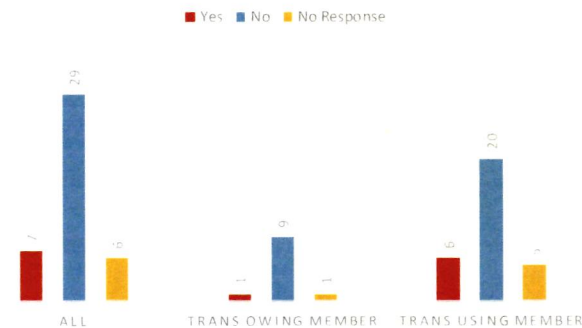
Retail: Synchronization	
Should whether a generator is synchronized and/or the circumstances under which it is synchronized (timing, scheduling, etc.) determine whether netting is allowed?	
10	Yes. Netting should be allowed dependent on whether and/or when a generator is synchronized.
30	No. Whether and/or when a generator is synchronized should not determine whether netting is allowed.
2	No Response

Wholesale: Synchronization	
Should whether a generator is synchronized and/or the circumstances under which it is synchronized (timing, scheduling, etc.) determine whether netting is allowed?	
7	Yes. Netting should be allowed dependent on whether and/or when a generator is synchronized.
29	No. Whether and/or when a generator is synchronized should not determine whether netting is allowed.
6	No Response

RETAIL: SYNCHRONIZATION



WHOLESALE: SYNCHRONIZATION

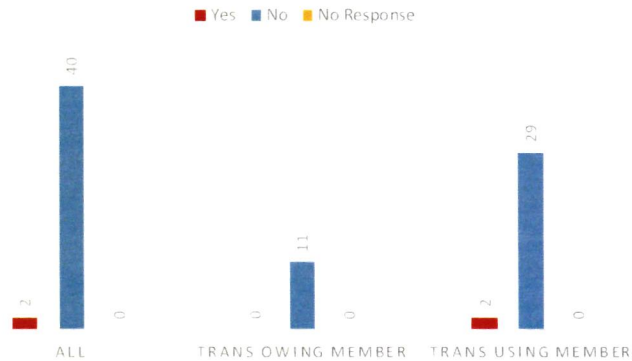


RETAIL & WHOLESALE LENGTH OF USE

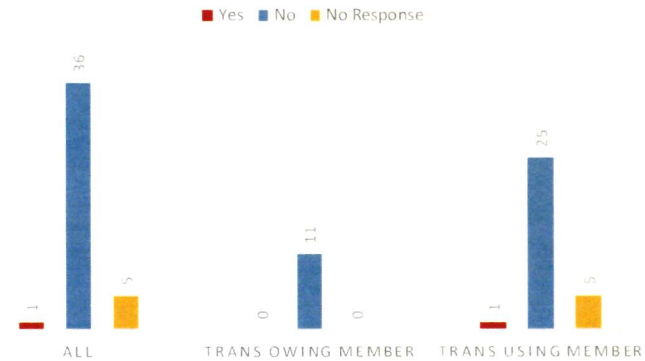
Retail: Length of Use	
Should a generator's length of use determine whether netting is allowed?	
2	Yes. Netting should be allowed for generators that are used less than a certain amount specified below.
40	No. A generator's length of use should not determine whether netting is allowed.
0	No Response

Wholesale: Length of Use	
Should a generator's length of use determine whether netting is allowed?	
1	Yes. Netting should be allowed for generators that are used less than a certain amount specified below.
36	No. A generator's length of use should not determine whether netting is allowed.
5	No Response

RETAIL: LENGTH OF USE



WHOLESALE: LENGTH OF USE

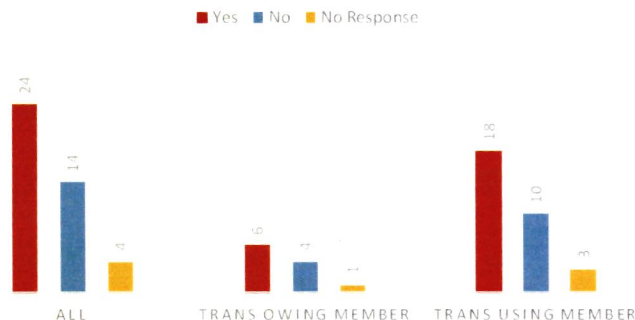


RETAIL & WHOLESALE LOST GENERATION/LOST LOAD SITUATION

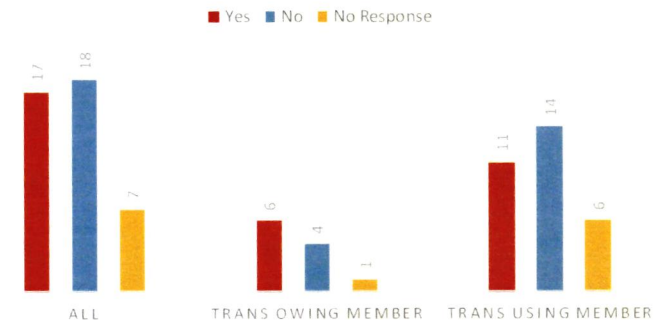
Retail: Lost Generation/Lost Load Situation	
Should netting be allowed if the associated load is lost when the generator is offline or otherwise, by design, has insufficient supply from the transmission system to support its associated load?	
24	Yes. Netting should be allowed in this situation.
14	No. Netting should not be allowed, even in this situation.
4	No Response

Wholesale: Lost Generation/Lost Load Situation	
Should netting be allowed if the associated load is lost when the generator is offline or otherwise, by design, has insufficient supply from the transmission system to support its associated load?	
17	Yes. Netting should be allowed in this situation.
18	No. Netting should not be allowed, even in this situation.
7	No Response

RETAIL: LOST GENERATION/LOST
LOAD SITUATION



WHOLESALE: LOST
GENERATION/LOST LOAD SITUATION

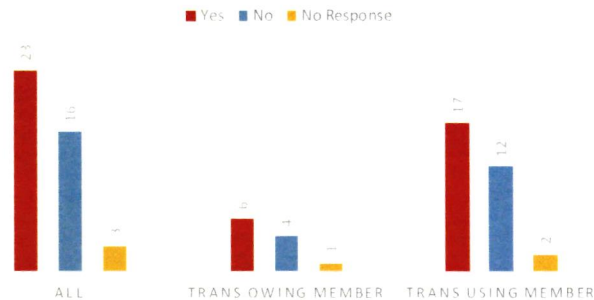


RETAIL & WHOLESALE LOST LOAD/LOST GENERATION SITUATION

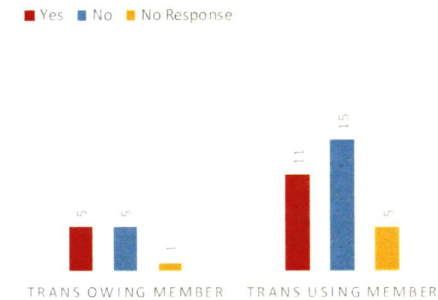
Retail: Lost Load/Lost Generation Situation	
Should netting be allowed if the generator is switched off when customer load is lost (e.g., from process shutdown, etc.)?	
23	Yes. Netting should be allowed in this situation.
16	No. Netting should not be allowed, even in this situation.
3	No Response

Wholesale: Lost Load/Lost Generation Situation	
Should netting be allowed if the generator is switched off when the wholesale customer load is lost (from process shutdown, etc.)?	
16	Yes. Netting should be allowed in this situation.
20	No. Netting should not be allowed, even in this situation.
6	No Response

RETAIL: LOST LOAD/LOST
GENERATION SITUATION



WHOLESALE: LOST LOAD/LOST
GENERATION SITUATION

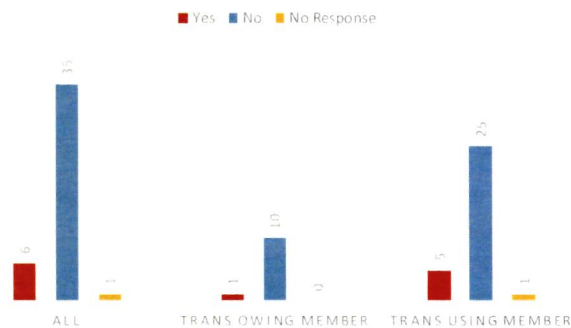


RETAIL & WHOLESALE GENERATION OWNERSHIP

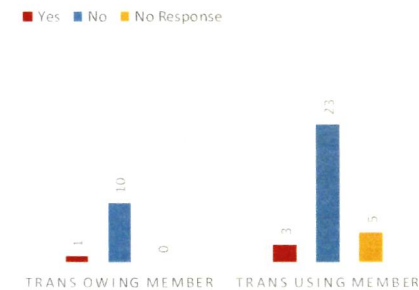
Retail: Generation Ownership	
Should the ownership of retail behind-the-meter generation determine whether netting is allowed? For example, some feel that generation owned or leased by a retail customer to manage its own load should be allowed to	
6	Yes. Which entity owns the behind-the-meter generation should determine whether netting is allowed.
35	No. Which entity owns the behind-the-meter generation should not determine whether netting is allowed.
1	No Response

Wholesale: Generator Ownership	
Yes. Which entity owns the behind-the-meter generation should be a determining factor whether netting is allowed.	
4	Yes. Which entity owns the behind-the-meter generation should determine whether netting is allowed.
33	No. Which entity owns the behind-the-meter generation should not determine whether netting is allowed.
5	No Response

RETAIL: GENERATION OWNERSHIP



WHOLESALE: GENERATOR OWNERSHIP

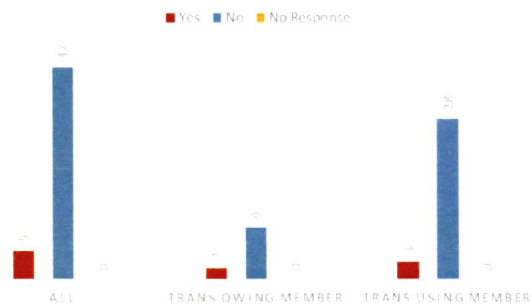


RETAIL & WHOLESALE DISPATCH CONTROL

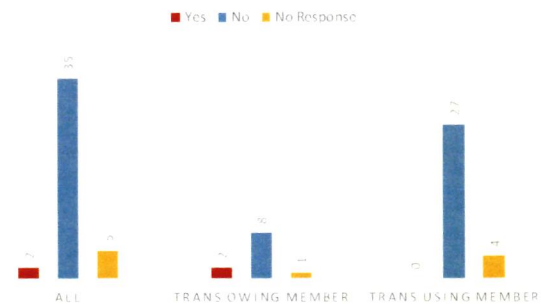
Retail: Dispatch Control	
The degree of dispatch control could affect whether there is deliberate generation during likely peak conditions, with resulting effects on zonal peak demand. Should the amount of dispatch control the generator owner has over the generator determine whether netting is allowed?	
5	Yes. The degree of dispatch control should determine whether netting is allowed.
37	No. The degree of dispatch control should not determine whether netting is allowed.
0	No Response

Wholesale: Dispatch Control	
The degree of dispatch control could affect whether there is deliberate generation during likely peak conditions, with resulting effects on zonal peak demand. Should the amount of dispatch control the generator owner has over the generator determine whether netting is allowed?	
2	Yes. The degree of dispatch control should determine whether netting is allowed.
35	No. The degree of dispatch control should not determine whether netting is allowed.
5	No Response

RETAIL: DISPATCH CONTROL



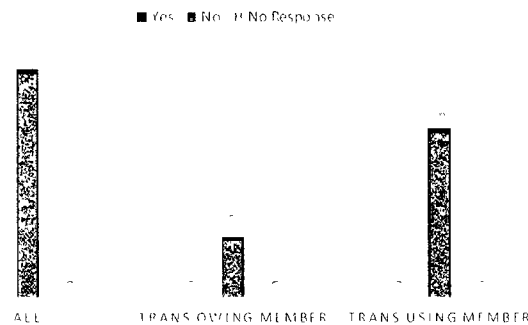
WHOLESALE: DISPATCH CONTROL



RETAIL CUSTOMER TYPE

Retail: Customer Type	
Should the type of retail customer (e.g., residential, commercial, industrial) with the retail behind-the-meter generation determine whether netting is allowed?	
0	Yes. Netting should be allowed for only certain types of customers.
42	No. A retail customer's type is not relevant to the determination of whether netting is allowed.
0	No Response

RETAIL: CUSTOMER TYPE

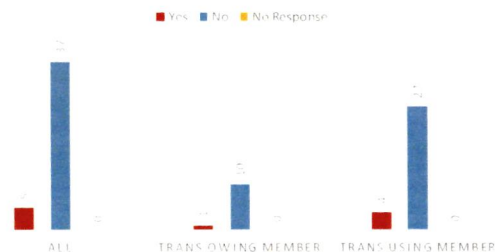


RETAIL & WHOLESALE INTERCONNECTION AGREEMENT

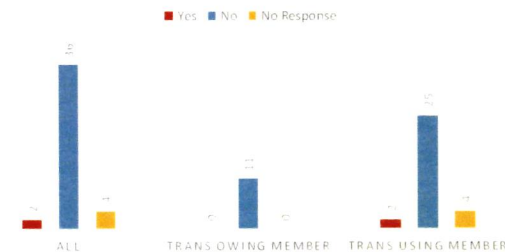
Retail: Interconnection Agreement	
Load-serving entities and transmission owners often require customer-generators to sign an interconnection agreement to connect with that entity's distribution or transmission facilities. However, the requirements for an interconnection agreement vary based on differences in retail jurisdictional rules and regulations regarding generator interconnections for otherwise similarly situated retail customers. Should the existence of a signed generator interconnection agreement between a retail customer-generator and load-serving entity or transmission owner determine whether netting is allowed?	
5	Yes. The existence of an interconnection agreement should determine whether netting is allowed.
37	No. The existence of an interconnection agreement should not determine whether netting is allowed.
0	No Response

Wholesale: Interconnection Agreement	
Load-serving entities and transmission owners often require customer-generators to sign an interconnection agreement to connect with that entity's distribution or transmission facilities. However, the requirements for an interconnection agreement vary based on differences in jurisdictional rules and regulations regarding generator interconnections for otherwise similarly situated customers. Should the existence of a signed generator interconnection agreement between a wholesale customer-generator and load-serving entity or transmission owner determine whether netting is allowed?	
2	Yes. The existence of an interconnection agreement should determine whether netting is allowed.
36	No. The existence of an interconnection agreement should not determine whether netting is allowed.
4	No Response

RETAIL: INTERCONNECTION AGREEMENT

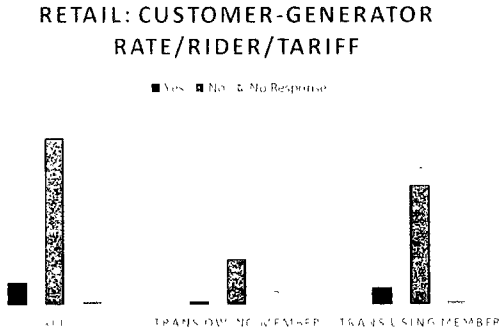


WHOLESALE: INTERCONNECTION AGREEMENT



RETAIL CUSTOMER-GENERATOR RATE/RIDER/TARIFF

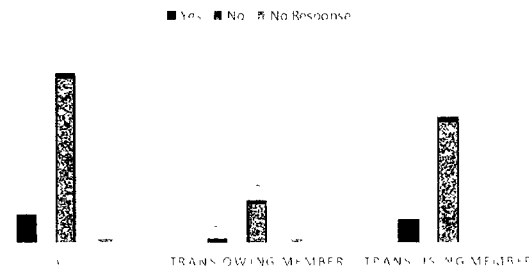
Retail: Customer-Generator Rate/Rider/Tariff	
Many retail customer-generators operate and/or are billed under a special retail rate, rider or tariff (e.g., net metering or parallel generation). However, the requirements for such retail rate treatment vary based on differences in retail jurisdictional rules and regulations for otherwise similarly situated retail customers. Should whether the retail customer operates under such customer-generator-related retail rate, riders or tariffs determine whether netting is allowed? Please explain your answer in the comment box, including how the existence of retail rate treatments should affect whether netting is allowed.	
5	Yes. The existence of retail rates, riders or tariff should determine whether netting is allowed.
36	No. The existence of retail rates, riders or tariffs should not determine whether netting is allowed.
1	No Response



RETAIL CUSTOMER-GENERATOR METERING

Retail: Customer-Generator Metering	
With regard to customer generation operating under a parallel generation or net metering retail rate, rider or tariff, does your opinion on netting depend on whether the metering is accomplished by the use of one bi-directional meter or separate generator output and customer usage meters?	
6	Yes. Separate generator output and customer usage meters are needed to provide the information necessary to distinguish between gross and net and allow for either approach in load reporting.
35	No. Capability of the metering to capture separate amounts for the generator and the customer usage should not determine whether netting is allowed.
1	No Response

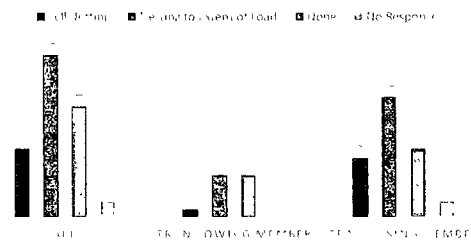
RETAIL: CUSTOMER-GENERATOR METERING



RETAIL AMOUNT OF NETTING ALLOWED

Retail: Amount of Netting Allowed	
Most, if not all, parallel generation or net metering retail rates, riders and tariffs contemplate the potential for generation in excess of the customer's load at that electrical location. Regarding these "over-generation" situations, what amount of netting should be allowed?	
8	Full netting. Full netting of the generator output should be allowed, even netting of generation in excess of the gross usage
19	Netting only to the extent of load. Netting should be allowed up to the level of the gross load at the same electrical location as the generator, but no generation in excess of the gross usage should be allowed for netting purposes.
13	None All load should be reported as gross (I e. There should be no netting of any behind-the-meter generation.)
2	No Response

RETAIL: AMOUNT OF NETTING
ALLOWED



RETAIL COMPENSATION FOR GENERATION IN EXCESS OF THE GROSS USAGE

Retail: Compensation for Generation in Excess of the Gross Usage	
Load-serving entities compensate customer-generators that generate in excess of their gross usage in various ways depending on jurisdictional rules, regulations and statutes. Compensation types range from no compensation to bill credits to monetary payments. Regarding allowing generation in excess of the gross usage to be netted, does it matter what type of compensation, if any, is provided to the generator customer?	
0	Yes. The amount or form of compensation is relevant to whether or not the over-generation should be allowed to be netted.
41	No. Whether and how the customer-generator is compensated for over-generation is irrelevant to whether or not the over-generation should be allowed to be netted.
1	No Response

RETAIL: COMPENSATION FOR GENERATION IN EXCESS OF THE GROSS USAGE

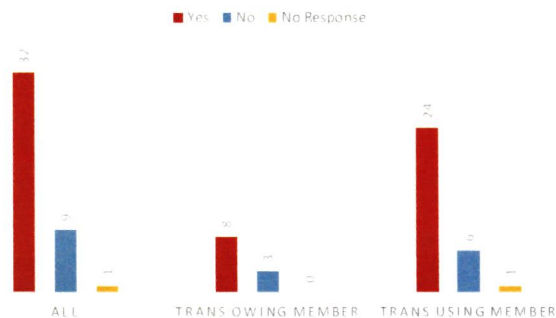


RETAIL & WHOLESALE ELECTRICAL LOCATION & TRANSMISSION DELIVERY POINT

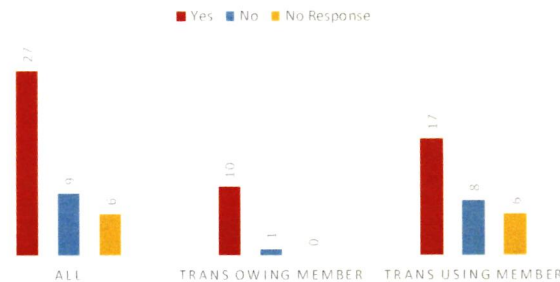
Retail: Electrical Location	
Should retail behind-the-meter generation be located at the same electrical location as the load for netting to be allowed? For example, should netting be prohibited from extending to other affiliated accounts?	
32	Yes. Netting, if allowed, should only be allowed for the load at the same electrical location as the generator.
9	No. Netting should not be limited to a single electrical location for a retail customer.
1	No Response

Wholesale: Transmission Delivery Point	
Should wholesale behind-the-meter generation be located at the same transmission delivery point as the load for netting to be allowed? In other words, should netting of wholesale generation be prohibited from extending to another transmission delivery point?	
27	Yes. Netting, if allowed, should be allowed only for the load at the same transmission delivery point as the generator.
9	No. Netting should not be limited to a single transmission delivery point.
6	No Response

RETAIL: ELECTRICAL LOCATION



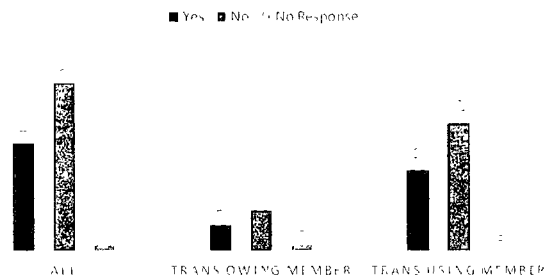
WHOLESALE: TRANSMISSION DELIVERY POINT



RETAIL SUBSCRIPTION-BASED SOLAR

Retail: Subscription-Based Solar	
If customer-owned generation behind the retail meter should be netted, should community solar or other similar subscription-based generation (behind a wholesale meter but in front of a retail meter) also be allowed to be netted?	
16	Yes. Subscription-based solar is functionally the same a solar behind the retail meter, so netting should be allowed.
25	No. Generation in front of the retail meter should not be netted regardless of retail rate treatment.
1	No Response

RETAIL: SUBSCRIPTION-BASED SOLAR



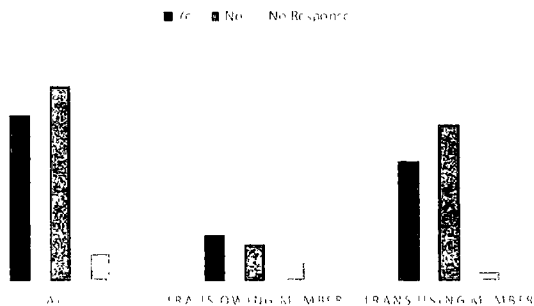
SUMMARY OF SURVEY RESPONSES

THE FOLLOWING SLIDES SHOW THE SURVEY RESULTS
FOR THE OTHER BTMG ISSUES

OTHER OFF-PEAK USAGE

Other: Off-Peak Usage	
Do you have concerns about differences, resulting from netting of behind-the-meter generation, between peak usage for billing Network Load (i.e., 12 CP-based) and off-peak usage?	
18	Yes. Netting of behind-the-meter generation that allows for potential peak-shaving at the time of the zonal coincident peaks allows for under-allocation of costs for network usage.
21	No. Those that peak at a time other than the zonal coincident peak should pay less relative to those that peak at the zonal coincident peak, even if the difference is the result of netting.
3	No Response

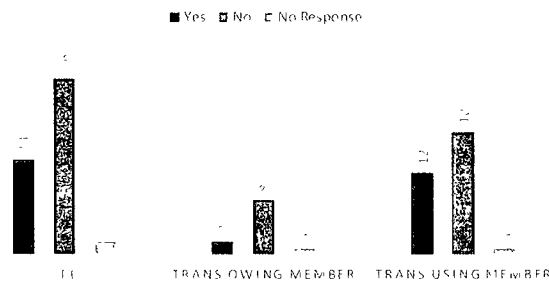
OTHER: OFF-PEAK USAGE



OTHER PEAK REPORTING FOR OTHER PURPOSES

Other: Peak Reporting for Other Purposes	
Do you have concerns about differences between peak-usage reporting for different purposes like transmission billing, resource adequacy, planning, Integrated Marketplace billing, or other functions under the SPP tariff?	
14	Yes. The reported load (i.e., gross or net) should be the same for some or all of these purposes.
26	No. As long as the relevant load needed for each purpose can be determined and is reported consistently for that purpose
2	No Response

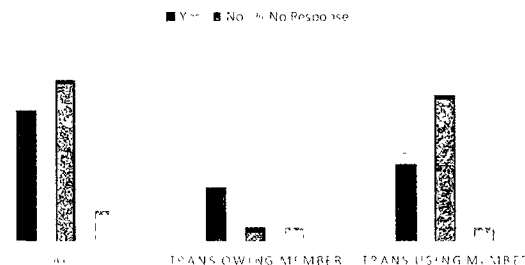
OTHER: PEAK REPORTING FOR OTHER PURPOSES



OTHER ACCEPTABLE LEVEL OF TRANSMISSION SYSTEM USAGE

Other: Acceptable Level of Transmission System Usage	
Is there a level (MW) of potential transmission system usage related to behind-the-meter generation (i.e., pushing onto the transmission system from over-generation or leaning on the transmission system if the generation is offline) below which you are unconcerned?	
17	Yes. Potential transmission system usage below the amount specified below does not materially impact the planning and operation of the transmission system.
21	No. All potential transmission system usage needs to be accounted for.
4	No Response

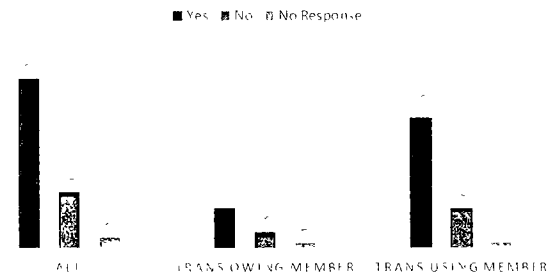
OTHER: ACCEPTABLE LEVEL OF
TRANSMISSION SYSTEM USAGE



OTHER REPORTING REQUIREMENT FOR NETTED GENERATION

Other: Reporting Requirement for Netted Generation	
If some behind-the-meter generation is allowed to be netted, should there be a reporting requirement concerning the amounts (e.g., nameplate) being netted for transmission planning or other purposes?	
30	Yes. It is important to understand the magnitude of behind-the-meter generation being netted.
10	No. If it is determined the Network Load can be reported net of behind-the-meter generation, there is no reason to track or report on it.
2	No Response

OTHER: REPORTING REQUIREMENT FOR NETTED GENERATION





PURPOSE

Update on MOPC Action Item 303
Staff to develop a whitepaper containing proposed policies for proper treatment of behind-the-meter load and generation

ESSENTIAL POINTS

- SPP staff will provide information on behind-the-meter generation (BTMG) /Network Load reporting issues & efforts
- SPP staff will seek MOPC direction on next steps



UPDATE ON MOPC ACTION ITEM 303

**STAFF TO DEVELOP A WHITEPAPER CONTAINING
PROPOSED POLICIES FOR PROPER TREATMENT OF
BEHIND-THE-METER LOAD AND GENERATION**

JANUARY 11 – 12, 2021

DON FRERKING

LEAD ENGINEER, REGULATORY POLICY

*Helping our members work together to keep
the lights on... today and in the future.*



SouthwestPowerPool



SPPorg



southwest-power-pool

PURPOSE

- Provide information on Behind the Meter Generation (BTMG) / Network Load reporting issues & efforts
 - Recap of past **SPP efforts** (Revision Requests (RRs) & surveys)
 - Recap of efforts in **other RTOs**
 - Discussion of **future related issues** (ESRs, Order No. 2222, etc.)
- Request for MOPC direction on next steps. Options may include:
 - Maintain status quo – continue policy of no netting
 - Develop new exception language for stakeholder process and eventual filing
 - Pause exception efforts pending resolution of related issues (e.g. ESRs, Order No. 2222, etc.)

DESCRIPTION OF ISSUE

“NET” VS “GROSS” LOAD REPORTING

- Load as metered at a delivery point is **“net of”** (i.e., reduced by) the output of any generation behind (i.e., on the load side of) the meter at the delivery point.
- Thus, to determine the **“gross”** Network Load at a delivery point, the output of any behind-the-meter generation would need to be added to metered load at that delivery point.

Stated another way, metered load at the delivery point must be grossed up by the output of the BTMG to determine the delivery point's Network Load.

BTMG REPORTING ISSUE & IMPLICATIONS

- There is a continuing **lack of clarity and/or difference of understanding** regarding the treatment of BTMG in the context of Network Load reporting
- This leads to inconsistencies in the amount of load reported by Network Customers

Inconsistent load reporting leads to improper allocation of costs to Network Customers – with some paying more than they should and others paying less

FERC PRO FORMA DEFINITION OF NETWORK LOAD

The load that a Network Customer designates for Network Integration Transmission Service under Part III of the Tariff. The Network Customer's Network Load shall include all load served by the output of any Network Resources designated by the Network Customer. **A**

Network Customer may elect to designate less than its total load as Network Load but may not designate only part of the load at a discrete Point of Delivery.

Where an Eligible Customer has elected not to designate a particular load at discrete points of delivery as Network Load, the Eligible Customer is responsible for making separate arrangements under Part II of the Tariff for any Point-To-Point Transmission Service that may be necessary for such non-designated load.

FERC definition of Network Load does not allow partial designation (e.g., load netted by BTMG)

SPP's Network Load definition mirrors the FERC definition

FERC ORDERS 888 & 888-A REINFORCE THAT “NETTING” OF BTMG IS NOT GENERALLY ALLOWED FOR NETWORK LOAD REPORTING

Order 888

Page 297: . . . if a customer wishes to exclude a particular load at discrete points of delivery from its load ratio share of the allocated cost of the transmission provider's integrated system, it may do so. Customers that elect to do so, however, must seek alternative transmission service for any such load that has not been designated as network load for network service. **This option is also available to customers with load served by "behind the meter" generation that seek to eliminate the load from their network load ratio calculation.**

Order 888-A

Page 245: . . . the Commission will allow a network customer to exclude the entirety of a discrete load from network load, **but not just a portion of the load served by generation behind the meter.**

Page 247: Quite simply, a **load at a discrete point of delivery cannot be partially integrated** – it is either fully integrated or not integrated.

FERC ORDERS 890, 890-A & 890-B ALSO REINFORCE THAT “NETTING” OF BTMG IS NOT GENERALLY ALLOWED BUT ALLOW FOR EXCEPTIONS ON A CASE-BY-CASE BASIS

Order 890

¶ 1619: **The Commission is not persuaded to require transmission providers to allow netting of behind the meter generation against transmission service charges** to the extent customers do not rely on the transmission system to meet their energy needs . . . We believe it is most appropriate to continue to **review alternative transmission provider proposals for behind the meter generation treatment on a case-by-case basis, as the Commission did in the PJM** proceeding cited by the commenters.

Order 890-A

¶ 965: **The Commission declined to require transmission providers to allow netting of behind the meter generation against transmission service charges** to the extent customers do not rely on the transmission system to meet their energy needs, stating that commenters had not provided any different arguments not fully addressed in Order No. 888. . . The Commission concluded it is most appropriate to continue to **review alternative transmission provider proposals for behind the meter generation treatment on a case-by case basis.**

Order 890-B

¶ 216: In Order No. 890-A, the Commission reiterated that **the pro forma OATT permits transmission customers to exclude the entirety of a discrete load from network service and serve such load with the customer's behind the meter generation and through any needed point-to-point service**, thereby reducing the network customer's load ratio share. In other situations, use of point-to-point service by network customers is in addition to network service and, therefore, does not serve to reduce their network load . . .

HISTORY OF STAKEHOLDER EFFORTS AND FAILED RR'S 158, 232, & 241

STAKEHOLDER BTMG RR HISTORY

RR158

Developed by
RTWG/BDTF during
2014-2017

Not approved by
RTWG, sent to MOPC
for policy guidance

RR232

Based on Jan 2017
SPC guidance to
allow <1MW BTMG
exclusion

Not approved by
RTWG, sent to MOPC
for policy guidance

RR241

Based on July 2017
MOPC guidance to
allow <1MW retail
BTMG

Not approved by
MOPC in Oct 2017

RTWG/BDTF RR 158 PROVISIONS

Specific Inclusions	<ul style="list-style-type: none">• Any Designated Resource• Any generator owned by Network Customer• QFs whose outputs are purchased by Network Customer• Any generator registered in Integrated Marketplace• Any generator or combinations of generators greater than ?? MW(s) not included above
Exclusions	<ul style="list-style-type: none">• Any generator where load is shed automatically with loss of generator• Any generator of individual retail customer involved in regulatory body approved net metering

SPC-DIRECTED RR 232 PROVISIONS

Specific Inclusions	
Exclusions	<ul style="list-style-type: none">• Any generator or group of generators totaling 1 MW or less• Any generator related to an individual retail customer where net metering is required by the appropriate regulatory body• Any generator where load is shed automatically with loss of generator

MOPC-DIRECTED RR 241 PROVISIONS

Specific Inclusions	<ul style="list-style-type: none">Any generation unit(s) located behind the meter at a Discrete Delivery Point and in front of a retail end-use customer's meterAny generation unit with a nameplate rating greater than 1.0 MW, or the sum of the output from generation units with a combined nameplate rating greater than 1.0 MW, located behind a retail end-use customer's meter
Exclusions	<ul style="list-style-type: none">Any generation unit behind a retail end-use customer's meter that is used for emergency back-up operations and is not synchronized to run in parallel with the Transmission System

MOPC SURVEYS REGARDING EXISTING PRACTICES & DESIRED POLICIES

FERC NETWORK LOAD REPORTING REQUIREMENTS & SURVEY OF NETWORK LOAD REPORTING IN SPP

- Following the failures to approve RRs 158, 232, and 241, MOPC requested that **SPP continue to review the FERC policies regarding the BTMG** in context of Network Load reporting and to review exceptions requested and approved by FERC.
 - SPP's review reinforced that FERC policy generally requires the reporting of all load at a gross level – not netted by the output of BTMG.
 - SPP's review also noted FERC may approve requested exceptions on a case-by-case basis (e.g., PJM Exception).
- MOPC also requested that SPP survey Network Customers to better understand the **reporting practices actually being employed** by those Network Customers.
 - The survey confirmed that there are inconsistencies in reporting practices – especially with regard to BTMG behind retail meters – among the Network Customers in SPP.

MOPC BTMG/NETWORK LOAD POLICY SURVEY

- SPP staff later surveyed stakeholders to gather **opinions on desired policies** and practices regarding treatment of BTMG in reporting of Network Load that **could/should be** implemented. This survey was an effort to:
 - determine extent of consensus on policies and direction regarding reporting of load
 - assess potential for developing Tariff language to provide for load reporting exceptions
 - promote reporting consistency through education and outreach

Responses received
from 42 separate
unaffiliated entities

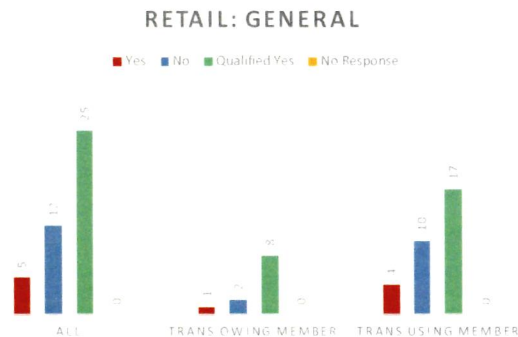
- 11 Trans-owning
- 31 Trans-using

Responses received
from most member
types

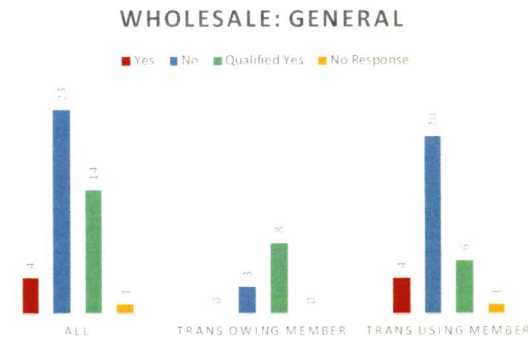
HIGH-LEVEL TAKEAWAY RETAIL VS WHOLESALE BTMG NETTING

There appears to be interest in netting for generation behind the retail meter under certain circumstances

Retail: General	
For the purposes of reporting Network Load, should retail behind-the-meter generation be netted? In other words, should behind-the-meter generation be exempt from being added back to metered load?	
5	Yes. Netting of all generation behind the retail meter should be allowed regardless of other circumstances.
12	No. All load should be reported as gross (i.e. no netting of "any" behind-the-meter generation, including behind the retail meter).
25	Qualified Yes. Netting should be allowed under some circumstances (further detailed in responses to questions below)
0	No Response



Wholesale: General	
Should wholesale behind-the-meter generation be netted for the purposes of reporting Network Load? In other words, should wholesale behind-the-meter generation be exempted from being added back to the metered load?	
4	Yes. All generation behind the wholesale meter should be netted regardless of any other circumstances.
23	No. All load should be reported as gross (i.e. no netting of any wholesale behind-the-meter generation).
14	Qualified yes. Netting should be allowed under some circumstances (further detailed in responses to questions below).
1	No Response



There is far less interest in netting for generation behind a wholesale meter but in front of a retail meter

HIGH-LEVEL TAKEAWAYS OTHER RELEVANT CIRCUMSTANCES

- Many respondents feel that **Designated Resources** and generators registered in the **Integrated Marketplace** are utilizing the Transmission System and should not be netted
 - Others, however, are concerned about possible discrimination and/or disincentives for resource designation and market registration
- Many respondents indicated a willingness to allow netting of BTMG generators below a **“de minimis” size (kW or MW) threshold**
 - The definition of “de minimis”, however, varies among respondents
 - There is less consensus on how netting should be allowed on an aggregate level
- Many respondents feel that netting should be allowed in **situations when load is lost if the generator is lost or conversely when the generator is lost when the load is lost**
- Most respondents feel that “if” netting is allowed it should be restricted to load at the **same location as the generator**

OTHER BTMG-RELATED POLICY ISSUES

- Off-Peak Usage
 - Responses were split on whether off-peak usage is a concern if netting is allowed
- Peak Reporting for Other Purposes
 - Most respondents were unconcerned about differences between peak-usage reporting for different purposes/functions under the SPP tariff as long as the relevant load needed for each purpose can be determined and is reported consistently for that purpose.
- Acceptable Level of Transmission System Usage
 - Responses were split on whether or not there is de minimis acceptable level of potential transmission system usage related to BTMG (i.e., pushing onto the transmission system from over-generation or leaning on the transmission system if the generation is offline)
- Reporting Requirement for Netted Generation
 - Most respondents indicated that, if some BTMG is allowed to be netted, there should be a reporting requirement concerning the amounts being netted.

BTMG/NETWORK LOAD EFFORTS IN OTHER RTO'S

BTMG NETTING ISSUE HAS BEEN ADDRESSED AND/OR EVALUATED IN OTHER RTO'S



- PJM's tariff has provisions allowing BTMG netting
 - Allows netting of BTMG behind retail meter and a limited amount of non-retail BTMG



- MISO's tariff does not currently allow BTMG netting
 - MISO evaluated BTMG netting, but has chosen to not implement at this time



- ISO-NE's tariff does not currently allow BTMG netting
 - Recent ISO-NE's Internal Market Monitor report noted that BTMG reporting remains inconsistent, affecting transmission cost allocation

Additional information included in the Appendices of this presentation.

RELATED ISSUES

OTHER RELATED ISSUES

- ESRs
 - May complicate BTMG netting issue going forward - SPP has already received questions about how to treat co-located solar and battery
- Reporting Requirement for Netted Generation
 - Many BTMG Policy Survey respondents indicated a desire for a reporting requirement concerning the amounts being netted - if some BTMG netting is allowed
 - Knowledge of the magnitude (\$ and/or MW) of current & future netted amounts may add comfort regarding exemptions
- Order No. 2222
 - Are there any potential conflicts/inconsistencies between any potential BTMG load reporting exceptions and Order No. 2222 requirements?

ORDER NO. 2222 – AGGREGATIONS OF DISTRIBUTED ENERGY RESOURCES

- Adopts reforms to remove barriers to participation of distributed energy resource (DER) aggregations in RTOs and ISOs
- Includes definition for Distributed Energy Resources (DER) that includes behind the meter generation
 - Distributed Energy Resource (DER) is defined as any resource located on the distribution system, any subsystem thereof or behind a customer meter. These resources may include, but are not limited to, electric storage resources, distributed generation, demand response, energy efficiency, thermal storage, and electric vehicles and their supply equipment.

Order No. 2222 may lead to more BTMG (including retail BTMG) participating in market functions, etc.

ORDER NO. 2222 - TARIFF REQUIREMENTS

1. Allow DER aggregations to participate directly in market and establish DER Aggregators as a type of MP
2. Allow DER Aggregators to register DER aggregations under one or more participation models that accommodate the physical and operational characteristics of the DER aggregation
3. Establish minimum size requirement for DER aggregations that does not exceed 100 kW
4. Address locational requirements for DER aggregations
5. Address distribution factors and bidding parameters for DER aggregations
6. Address information and data requirements for DER aggregations
7. Address metering and telemetry requirements for DER aggregations
8. Address coordination between SPP, the DER Aggregator, the distribution utility and the relevant electric retail regulatory authority
9. Address modifications to the list of resources in a DER aggregation
10. Address MP Agreement for DER Aggregator

Size thresholds, IM participation, etc. are among the BTMG Network Load reporting provisions that have previously been discussed.

It might be helpful to sync such BTMG exceptions with future Order No. 2222 tariff provisions.

POSSIBLE NEXT STEPS

POSSIBLE NEXT STEPS

- Maintain Status Quo – continue policy of no netting
- Develop new exception language for stakeholder process and eventual filing:
 - Exception that resembles PJM's
 - Exception that incorporates previous RR efforts & survey responses (behind retail, <? MW)
 - Other?
- Pause exception efforts pending resolution of related issues (e.g. Order No. 2222 filing, etc.)

MAINTAIN STATUS QUO (NO NETTING)

Description	<ul style="list-style-type: none">• No netting allowed for any BTMG
Pros	<ul style="list-style-type: none">• No changes required• Avoids potential litigation that may follow any proposed changes
Cons	<ul style="list-style-type: none">• Lack of consistency in Network Load reporting with respect to BTMG will likely continue to be an issue

DEVELOP PJM-LIKE EXCEPTION

Description	<ul style="list-style-type: none">• Exception that roughly mirrors what PJM has in place• Netting of all retail BTMG• Netting of Non-Retail BTMG up to a ???? MW threshold
Pros	<ul style="list-style-type: none">• In place at PJM and accepted by FERC• Netting of retail BTMG is supported by a number of stakeholders
Cons	<ul style="list-style-type: none">• Stakeholder survey seemed to support some size threshold – there may not be consensus for netting <u>all</u> retail BTMG• Netting of Non-Retail BTMG not as strongly supported by stakeholders• Netting of Non-Retail BTMG up to a ???? MW threshold complicates administration

DEVELOP EXCEPTION THAT INCORPORATES PREVIOUS RR EFFORTS & SURVEY RESPONSES (BEHIND RETAIL, <? MW)

Description	<ul style="list-style-type: none"> • Netting allowed for: <ul style="list-style-type: none"> • Retail BTMG <1? MW • BTMG utilized for emergency back-up operations & not synchronized to run in parallel with the Transmission System? • BTMG where load is shed automatically with loss of generator (and vice versa)?
Pros	<ul style="list-style-type: none"> • Lines up with interpretation by many that netting behind retail meter is currently appropriate under some circumstances • While it previously failed at MOPC, RR 241 did receive majority (54.6%) support. <ul style="list-style-type: none"> • Opposition/Abstention concerns may be able to be addressed
Cons	<ul style="list-style-type: none"> • There may not be consensus on size threshold • Lack of non-retail BTMG may lead to similar complaint(s) that led PJM to added some non-retail BTMG netting

Don Frerking
Lead Engineer, Regulatory Policy
dfrerking@spp.org

APPENDICES

PJM BTMG/NETWORK LOAD INFO

PJM TARIFF HAS PROVISIONS ALLOWING BTMG NETTING

- PJM Tariff contains a **definition for BTMG** as well as a **definition for Non-Retail Behind The Meter Generation**.
 - BTMG is defined as “generation that delivers energy to load without using the Transmission System or any distribution facilities.”
 - Non-Retail Behind The Meter Generation is BTMG “that is used by municipal electric systems, electric cooperatives, or electric distribution companies to serve load.”
- Section 34.2 of the PJM Tariff, which was added to the PJM Tariff in Docket No. ER07-608, contains a specific provision **allowing the netting of BTMG** in the reporting of Network Load.
- Section 34.3, which was added to the PJM Tariff resulting from the Settlement of the complaint in EL05-127, **extended (on a limited basis)** the provision allowing the **netting of BTMG to Non-Retail Behind The Meter Generation** situations.

PJM BTMG & NON-RETAIL BTMG DEFINITIONS

BEHIND THE METER GENERATION:

"Behind The Meter Generation" shall refer to a generation unit that **delivers energy to load without using the Transmission System or any distribution facilities (unless the entity that owns or leases the distribution facilities has consented to such use of the distribution facilities)** and such consent has been demonstrated to the satisfaction of the Office of the Interconnection); provided, however, that Behind The Meter Generation **does not include** (i) at any time, any portion of such generating unit's capacity that is designated as a **Generation Capacity Resource**; or (ii) in an hour, any portion of the **output of such generating unit that is sold to another entity** for consumption at another electrical location or into the PJM Interchange Energy Market.

NON-RETAIL BEHIND THE METER GENERATION:

"Non-Retail Behind The Meter Generation" shall mean **Behind the Meter Generation that is used by municipal electric systems, electric cooperatives, or electric distribution companies** to serve load.

PJM SECTION 34.2 & 34.3 NETTING PROVISIONS

34.2 NETTING OF BEHIND THE METER GENERATION.

The daily load of a Network Customer **does not include load served by operating Behind The Meter Generation**. The daily load of a Network Customer shall not be reduced by energy injections into the transmission system by the Network Customer.

34.3 NETTING OF NON-RETAIL BEHIND THE METER GENERATION.

Netting of Behind The Meter Generation for Network Customers with regard to Non-Retail Behind The Meter Generation shall be subject to the following limitations: For calendar year 2006, 100 percent of the operating **Non-Retail Behind The Meter Generation shall be netted, provided that the total amount of Non-Retail Behind The Meter Generation in the PJM Region does not exceed 1500 megawatts ("Non-Retail Threshold")**. For each calendar year thereafter, the Non-Retail Threshold shall be proportionately increased based on load growth in the PJM Region but shall **not be greater than 3000 megawatts ...**

MISO BTMG/NETWORK LOAD INFO

MISO'S TARIFF DOESN'T CURRENTLY ALLOW BTMG NETTING

- The "Determination of Network Customer's Network Load" provisions in Section 34.2 of the MISO Tariff are similar to those in the FERC Pro Forma Tariff.
- Like the FERC Pro Forma Tariff, the current MISO Tariff does not provide for any netting of BTMG in the reporting of Network Load.

MISO EVALUATED BTMG NETTING, BUT HAS NOT IMPLEMENTED

- In 2019, the MISO Planning Advisory Committee (PAC) solicited stakeholder input to **evaluate potential proposals for netting BTMG** in the reporting of Network Load.
- In April 2019, the MISO PAC developed proposal for:
 - definition of “Retail Behind the Meter Generation (“RBTMG”)
 - revision to “Determination of Network Customer’s Network Load” provisions in Section 34.2 of the MISO Tariff to **allow for the netting of RBTMG** in the reporting of Network Load
- In October 2019, however, the MISO PAC **recommended that the April proposal not be implemented.**

APRIL 2019 MISO PAC PROPOSED RBTMG DEFINITION & 34.2 REVISION

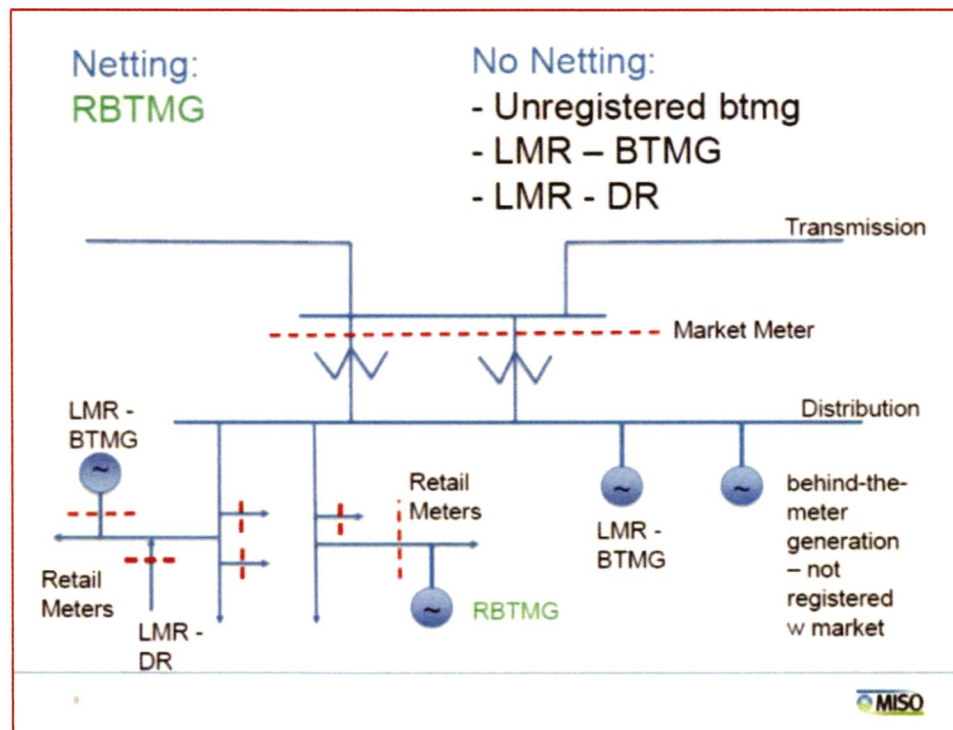
RETAIL BEHIND THE METER GENERATION (RBTMG):

Generation resources that **serve a retail customer's load at the same electric location without using the Transmission System**, unless the entity that owns or leases the transmission facilities has consented to such use of the facilities and such consent has been demonstrated to the satisfaction of the Transmission Provider or the retail Tariff provides for such use of the facilities ; provided, however, that Retail Behind The Meter Generation **shall not include** (i) at any time, any portion of such generating unit's capacity that is designated or **registered as a Load Modifying Resource**; or (ii) in an hour, any portion of the output of such generating unit[s] that is **sold to another entity** for consumption at another electrical location or into the MISO Energy and Operating Reserve Market(s).

34.2 DETERMINATION OF NETWORK CUSTOMER'S MONTHLY NETWORK LOAD

A Network Customer's monthly Network Load is its hourly Load (60 minute, Hour); provided, however, the Network Customer's monthly Network Load will be its hourly Load coincident with the monthly peak of the pricing zone where the Network Customer's Load is physically located or as otherwise located as defined in Section 31.3 (b) or (c). A Network Customer's monthly **Network Load does not include** Load served at the time of the coincident monthly peak by a **Retail Behind the Meter Generator**, or by any **Behind the Meter Generator to the extent that such load is lost** or cannot be wholly served by the transmission system when that Behind the Meter Generation is not supplying the Load.

MISO GRAPHIC OF PROPOSED NETTING



OCTOBER 2019 MISO PAC RATIONALE FOR NOT PROCEEDING WITH NETTING PROPOSAL

Purpose & Key Takeaways



Purpose:

- Revisit Last Proposal Discussed in April and MISO concerns with proposal
- Describe Path for NITS billing question and other elements of SC assignment on BTMG

Key Takeaways:

- Case for uniform deviation from "gross rule" is not sufficiently developed
- One approach does not fit all customer circumstances
- MISO to not make changes to tariff or BPM regarding NITS billing and BTMG
- MISO tariff does not impact retail tariffs or external agreements impacting retail load treatment



Last proposal could result in protracted FERC proceeding if MISO tariff dictates billing treatment of retail load and generation across many jurisdictions

- Allowed netting of retail owned generation at same location as retail load
- Did not allow netting of market registered resources
- Did not allow netting of wholesale unregistered resources
- FERC precedent is not clear as we have debated
- MISO believes best approach on the billing question is to leave status quo – in which MISO tariff does not impact retail tariffs or external agreements impacting retail load treatment



ISO-NE BTMG/NETWORK LOAD INFO

ISO-NE'S TARIFF SPECIFICALLY DOES NOT ALLOW BTMG NETTING

Regional Network Load is the load that a Network Customer designates for Regional Network Service under Part II.B of the OATT. The Network Customer's Regional Network Load shall include all load designated by the Network Customer (including losses) and **shall not be credited or reduced for any behind-the-meter generation**. A Network Customer may elect to designate less than its total load as Regional Network Load but may not designate only part of the load at a discrete Point of Delivery. Where a Transmission Customer has elected not to designate a particular load at discrete Points of Delivery as Regional Network Load, the Transmission Customer is responsible for making separate arrangements under Part II.C of the OATT for any Point-To-Point Service that may be necessary for such nondesignated load.

ISO-NE'S INTERNAL MARKET MONITOR (IMM) NOTED THAT BTMG REPORTING REMAINS INCONSISTENT, AFFECTING TRANSMISSION COST ALLOCATION

Key Takeaways

1. Regional Network Load (RNL) is the allocator of transmission costs among network customers and is required to be grossed up (or reconstituted) to account for BTM generation
2. BTM generation is not a tariff defined term but is a well understood concept in the industry.
 - We consider it to generally include generation located behind the retail meter, connected to the distribution system and intended to serve host load
3. There is potential widespread non-compliance with this requirement and/or inconsistent application
4. Under-reporting of RNL results in a lower allocation of transmission costs to the under-reporting network customer, and consequently an over-allocation to others
 - The financial impact can be significant for individual projects and network customers, but does not appear to result in significant cost shifting between states (based on BTM photovoltaic estimates)

Key Takeaways (cont'd)

5. BTM generation can have positive impacts in terms of reducing peak load levels and potentially transmission investment, but under the current tariff provisions the benefits should not be monetized through under-reporting load
6. A number of recommendations are included to address issues raised in the assessment, including:
 - a) Non-compliant PTOs/network customers should change current practices and reconstitute monthly RNL values
 - b) Review tariff for potential helpful specificity and clarification [e.g. definitions, determination of peak load hours]
 - c) Undertake a wider review of the transmission rate structure for consistency with transmission planning process and benefits due to BTM generation

SEVERAL ISO-NE TO'S RESPONDED TO THE IMM REPORT BY PROPOSING POSSIBLE TARIFF CHANGES TO CLARIFY THE BTMG ISSUES

New definition of Behind-the-Meter Generation

Behind-the-Meter Generation is, for the purpose of calculating Regional Network Load, 1) an electric generation resource that is not registered as a Generator Asset with ISO-NE or 2) the portion of an electric generation resource that is not reported in the output of the registered Generator Asset associated with the electric generation resource because it serves load located behind the same retail customer meter as the electric generation resource.

Revised definition of RNL

Regional Network Load is the load that a Network Customer designates for Regional Network Service under Part II.B of the OATT. The Network Customer's Regional Network Load shall include all load designated by the Network Customer (including losses) and shall not ~~be credited or reduced for any behind the meter generation~~ include load offset by Behind-the-Meter Generation. A Network Customer may elect to designate less than its total load as Regional Network Load but may not designate only part of the load at a discrete Point of Delivery. Where a Transmission Customer has elected not to designate a particular load at discrete Points of Delivery as Regional Network Load, the Transmission Customer is responsible for making separate arrangements under Part II.C of the OATT for any Point-To-Point Service that may be necessary for such non-designated load.

**SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415**

**SOUTHWESTERN ELECTRIC POWER COMPANY'S RESPONSE TO TEXAS
INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF REQUESTS FOR
INFORMATION**

Question No. TIEC 13-4:

Please provide all SPP documents relating to or discussing the educational information referenced in the preceding RFI.

Response No. TIEC 13-4:

The Company has filed an objection to this question.

Prepared By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

Sponsored By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

**SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415**

**SOUTHWESTERN ELECTRIC POWER COMPANY'S RESPONSE TO TEXAS
INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF REQUESTS FOR
INFORMATION**

Question No. TIEC 13-5:

Please provide any communications between SWEPCO and Mr. Locke concerning the subject of his testimony.

Response No. TIEC 13-5:

See TIEC 13-5 Attachment 1.

Prepared By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

Sponsored By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

From: [Stacy Bankston](#)
To: [Charles Locke](#); [Tessie Kentner](#)
Cc: [Tom Brice JR.](#); [Lynn M. Ferry-Nelson](#); [Jonathan M. Griffin](#); [Jennifer J. Frederick](#); [Melissa A. Gage](#); [Leila M. Melhem](#); [William Coe \(wco@dwmlaw.com\)](#); ["ppearsall@dwmlaw.com"](#); [Ross, Richard C. \(AEP\)](#)
Subject: **External Email** 51415 - SWEPCO TX Rate Case - TIEC's 13th set RFIs to SWEPCO
Date: Friday, April 30, 2021 2:49:09 PM
Attachments: [image001.png](#)
[51415 TIEC's 13th Set of RFIs to SWEPCO w-assignments.pdf](#)

Attached here with assignments and due dates is the 13th set of RFIs from TIEC in the SWEPCO Texas rate case. Please let me know as soon as possible if there are any concerns about the RFIs. The timeline to respond on rebuttal is much shorter than on direct testimony, therefore please note the due dates.

All questions in this set are directed to Charles Locke

The timeline for objections, review and filing is as follows:

- Proposed objections due to Case Mgt. and Legal ASAP
- Draft responses due by - May 4
- Objections due to file - May 6
- File responses - May 6

Additionally, please label (as a header) any attachments to your discovery responses as follows:

SOAH Docket No. 473-21-0538

PUC Docket No. 51415

TIEC's 13th, Q. # TIEC 13-X

Attachment X

Page 1 of X (if multiple pages)

Thanks!



STACY BANKSTON | REGULATORY CASE MGR

SLBANKSTON@AEP.COM | D 214 777 1081 | C 318 560 0620

1201 ELM STREET, SUITE 4100, DALLAS, TX 75270

From: [Ross, Richard C. \(AEP\)](#)
To: [Charles Locke](#)
Subject: **External Email** FW: 51415 TIEC05 Pkg pdf
Date: Thursday, April 15, 2021 4:23.06 PM
Attachments: [image001.png](#)
[51415 TIEC05 Pkg.pdf](#)



RICHARD ROSS | DIR TRANS RTO POLICY
RRoss@AEP.COM | D 918 599 2966 | C 918 284 8702
212 E 6TH ST, TULSA, OK 74119

From: Ross, Richard C. (AEP)
To: Charles Locke
Subject: **External Email** FW: SWEPCO Rate Case - 51415 - TIEC & Eastman Chemical Direct Testimony
Date: Wednesday, March 31, 2021 2:58:19 PM
Attachments: [image001.png](#)
[image002.png](#)
[D. 51415 Direct Testimony and Exhibits of Michael P. Gorman on behalf of TIEC.pdf](#)
[D. 51415 Direct Testimony and Exhibits of Jeffrey Pollock on behalf of TIEC.pdf](#)
[3-31-21 #51415 Eastman Chemical Direct Testimony of Ali Al-Jabir.pdf](#)

SWEPCO will be talking about the rebuttal items in a call this evening. I have only looked at the testimony of Eastman Chemical & expect your comments on Ali Al Jabir's assertions alone will be helpful.

"As will be discussed in the balance of my direct testimony, SWEPCO's proposed treatment of retail BTMG is not required under the SPP Tariff "



RICHARD ROSS | DIR TRANS RTO POLICY
RROSS@AEP.COM | D 918 599 2966 | C 918 284 8702
212 E 6TH ST, TULSA, OK 74119

From: Lynn M Ferry-Nelson <lmferry-nelson@aep.com>
Sent: Wednesday, March 31, 2021 2:44 PM
To: Melissa A Gage <magage@aep.com>; Leila M Melhem <Immelhem@aep.com>; Richard Ross <rross@aep.com>; Jim Jacoby <jwjacoby@aep.com>
Subject: FW: SWEPCO Rate Case - 51415 - TIEC & Eastman Chemical Direct Testimony

I believe SPS, in their rate case, had one of the SPP executives submit testimony on its behalf regarding the BTM issue. Do we want to do the same here?

Lynn

From: Melika A Gradek <magradek@aep.com>
Sent: Wednesday, March 31, 2021 2:32 PM
To: Stacy Bankston <sbankston@aep.com>; Melissa A Gage <magage@aep.com>; Leila M Melhem <Immelhem@aep.com>; 'William Coe' <wcoe@dwmrlaw.com>; 'Patrick Pearsall' <ppearsall@dwmrlaw.com>; Kerry McGrath <kmcgrath@dwmrlaw.com>; Jackie Jones <jjones@dwmrlaw.com>; Jonathan M Griffin <jmgriffin@aep.com>; Tom Brice JR. <tpbrice1@aep.com>; Lynn M Ferry-Nelson <lmferry-nelson@aep.com>; Jennifer J Frederick <jfjfrederick@aep.com>
Cc: Grieg Gullickson <gkgullickson@aep.com>; Eva M Castaneda <ecastaneda@aep.com>
Subject: SWEPCO Rate Case - 51415 - TIEC & Eastman Chemical Direct Testimony



MELIKA A GRADEK

MAGRADEK@AEP.COM | D 512 481 4546
400 W 15TH ST STE 1500 AUSTIN, TX 78701-1677

From: [Patrick Pearsall](#)
To: [Tessie Kentner](#)
Cc: [Ross, Richard C. \(AEP\)](#); [Charles Locke](#)
Subject: **External Email** Re: Rebuttal Testimony Assistance Needed
Date: Thursday, April 1, 2021 5:42:23 PM

Tessie,

Sorry my email got sent before I finished. But we'll have a schedule for drafts early next week. As well as review calls. Looking forward to working with you.

Patrick

Sent from my iPhone

On Apr 1, 2021, at 5:37 PM, Patrick Pearsall <ppearsall@dwmrlaw.com> wrote:

Tessie,

The SWEPCO rebuttal testimony is due on April 23rd. We'll need drafts before that

Sent from my iPhone

On Apr 1, 2021, at 5:36 PM, Tessie Kentner <tkentner@spp.org> wrote:

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Richard-

SPP is willing to provide testimony for SWEPCO similar to the testimony that we previously provided in the SPS docket and is also agreeable to SWEPCO taking the first cut of the draft testimony. What is the due date?

Also, since SPP is still working remotely, if you need to reach me by phone, my cell will be the faster option: 501-208-3383.

Thanks,

Tessie Kentner
Managing Attorney
Southwest Power Pool, Inc.
tkentner@spp.org
501.688.1782

From: Ross, Richard C. (AEP) <rross@aep.com>
Sent: Thursday, April 1, 2021 4:42 PM
To: Charles Locke <clocke@spp.org>; Tessie Kentner <tkentner@spp.org>
Cc: Patrick Pearsall (ppearsall@dwmrlaw.com)
<ppearsall@dwmrlaw.com>
Subject: **External Email** Rebuttal Testimony Assistance Needed

Charles/Tessie..... as I discussed briefly with Charles yesterday, we would like some help from SPP in a SWEPCO case in the Texas jurisdiction concerning Behind the Meter Generation and Transmission Service Billing. We believe the issues are very similar to the issues you rebutted in the SPS docket and think much of the testimony could be used in SWEPCO's docket.

<!--[if !supportLists]-->(1) <!--[endif]-->Just to consolidate things together & also provide them to Tessie . attached are
<!--[if !supportLists]-->a. <!--[endif]-->the two pieces of testimony in the SWEPCO case that I believe SPP might help us challenges.
<!--[if !supportLists]-->b <!--[endif]-->The rebuttal testimony filed in the SPS docket.
<!--[if !supportLists]-->(2) <!--[endif]-->my counsel working on this is Patrick Pearsall who's contact information is below:
Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com
<!--[if !supportLists]-->(3) <!--[endif]-->We are willing to take a first cut at drafting the testimony using what was submitted in the SPS docket. (essentially take the SPS testimony & make it fit the SWEPCO case)
<!--[if !supportLists]-->(4) <!--[endif]-->Assuming you are willing and that approach is agreeable; it would probably be helpful to have a brief call to talk about anything you might want to change or approach differently today.
<!--[if !supportLists]-->(5) <!--[endif]-->Patrick... Tessie's contact information is as follows

Tessie Kentner
Managing Attorney
Southwest Power Pool, Inc.
tkentner@spp.org
501.688.1782

Does all of that seem like something that can work?

<image001.png>

RICHARD ROSS | DIR TRANS RTO POLICY
RROSS@AEP.COM | D 918 599 2966 | C 918 284 8702
212 E 6TH ST, TULSA OK 74119

This email and any attachments are for the sole use of the intended recipient(s) and may contain confidential information. If you receive this email in error, please notify the sender, delete the original and all copies of the email and destroy any other hard copies of it.

From: [Stacy Bankston](#)
To: [Tessie Kentner](#); [Patrick Pearsall](#); [Charles Locke](#)
Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review
Date: Monday, April 12, 2021 3:58:25 PM
Attachments: [image001.jpg](#)

Is Thursday better?

From: Tessie Kentner <tkentner@spp.org>
Sent: Monday, April 12, 2021 3:54 PM
To: Stacy Bankston <slbankston@aep.com>; Patrick Pearsall <ppearsall@dwmrlaw.com>; Charles Locke <clocke@spp.org>
Subject: [EXTERNAL] RE: SWEPCO Rate Case - Rebuttal Testimony Review

This is an **EXTERNAL** email. **STOP. THINK** before you **CLICK** links or **OPEN** attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to from a mobile device.

Our availability on Friday is very limited. The only time I see available is from 10:30-11.

Tessie

From: Stacy Bankston <slbankston@aep.com>
Sent: Monday, April 12, 2021 3:48 PM
To: Patrick Pearsall <ppearsall@dwmrlaw.com>; Tessie Kentner <tkentner@spp.org>; Charles Locke <clocke@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review

Charles/Tessie, I appreciate having this information as soon as you can review your calendars. Thank you in advance!

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Monday, April 12, 2021 3:42 PM
To: Tessie Kentner <tkentner@spp.org>; clocke@spp.org
Cc: Stacy Bankston <slbankston@aep.com>
Subject: [EXTERNAL] SWEPCO Rate Case - Rebuttal Testimony Review

This is an **EXTERNAL** email. **STOP. THINK** before you **CLICK** links or **OPEN** attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to from a mobile device.

Charles & Tessie:

Can you let us know your availability this Friday for a call with the SWEPCO litigation team to review Charles's rebuttal testimony?

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmrlaw.com | www.dwmrlaw.com



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From: [Stacy Bankston](#)
To: [Patrick Pearsall](#); [Tessie Kentner](#); [Charles Locke](#)
Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review
Date: Monday, April 12, 2021 3:48:25 PM
Attachments: [image001.jpg](#)

Charles/Tessie, I appreciate having this information as soon as you can review your calendars. Thank you in advance!

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Monday, April 12, 2021 3:42 PM
To: Tessie Kentner <tkentner@spp.org>; clocke@spp.org
Cc: Stacy Bankston <slbankston@aep.com>
Subject: [EXTERNAL] SWEPCO Rate Case - Rebuttal Testimony Review

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Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmrlaw.com | www.dwmrlaw.com



From: [Stacy Bankston](#)
To: [Tessie Kentner](#), [Patrick Pearsall](#); [Charles Locke](#)
Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review
Date: Monday, April 12, 2021 4:06:25 PM
Attachments: [image001.jpg](#)

Ok. Will schedule for 10:30am Friday. Thanks Tessie.

From: Tessie Kentner <tkentner@spp.org>
Sent: Monday, April 12, 2021 4:03 PM
To: Stacy Bankston <slbankston@aep.com>, Patrick Pearsall <ppearsall@dwmrlaw.com>; Charles Locke <clocke@spp.org>
Subject: [EXTERNAL] RE: SWEPCO Rate Case - Rebuttal Testimony Review

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Unfortunately, no. We have some quarterly stakeholder meetings happening this week, which makes this week busier than normal. On Monday, we are available from 9-10 and from 1-2.

Tessie

From: Stacy Bankston <slbankston@aep.com>
Sent: Monday, April 12, 2021 3:57 PM
To: Tessie Kentner <tkentner@spp.org>; Patrick Pearsall <ppearsall@dwmrlaw.com>; Charles Locke <clocke@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review

Is Thursday better?

From: Tessie Kentner <tkentner@spp.org>
Sent: Monday, April 12, 2021 3:54 PM
To: Stacy Bankston <slbankston@aep.com>; Patrick Pearsall <ppearsall@dwmrlaw.com>; Charles Locke <clocke@spp.org>
Subject: [EXTERNAL] RE: SWEPCO Rate Case - Rebuttal Testimony Review

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Our availability on Friday is very limited. The only time I see available is from 10:30-11.

Tessie

From: Stacy Bankston <slbankston@aep.com>
Sent: Monday, April 12, 2021 3:48 PM

To: Patrick Pearsall <ppearsall@dwmlaw.com>; Tessie Kentner <tkentner@spp.org>; Charles Locke <clocke@spp.org>

Attachment 1
Page 12 of 46

Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review

Charles/Tessie, I appreciate having this information as soon as you can review your calendars. Thank you in advance!

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To: Tessie Kentner <tkentner@spp.org>; clocke@spp.org

Cc: Stacy Bankston <sbankston@aep.com>

Subject: [EXTERNAL] SWEPCO Rate Case - Rebuttal Testimony Review

This is an **EXTERNAL** email. **STOP. THINK** before you **CLICK** links or **OPEN** attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to [redacted] from a mobile device.

Charles & Tessie:

Can you let us know your availability this Friday for a call with the SWEPCO litigation team to review Charles's rebuttal testimony?

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
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ppearsall@dwmlaw.com | www.dwmlaw.com



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From: [Patrick Pearsall](#)
To: [Charles Locke](#)
Cc: [Tessie Kentner](#)
Subject: **External Email** RE: SWEPCO Rate Case
Date: Wednesday, April 21, 2021 11:07:11 AM

Great. Thank you for the update.

Sincerely,

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com

From: Charles Locke <clocke@spp.org>
Sent: Wednesday, April 21, 2021 11:05 AM
To: Patrick Pearsall <ppearsall@dwmrlaw.com>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: RE: SWEPCO Rate Case

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Patrick,
I made good progress yesterday and hope to get it to you today.

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Wednesday, April 21, 2021 9:52 AM
To: Charles Locke <clocke@spp.org>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** Re: SWEPCO Rate Case

Charles,

Thank you for the update. Do you think you'll have the draft to us today? I apologize for the pestering. But we'll need to have the draft in time for the SWEPCO team to review and possibly ask questions before finalizing and preparing the document for filing.

Patrick

Sent from my iPhone

On Apr 20, 2021, at 12:26 AM, Charles Locke <clocke@spp.org> wrote:

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Patrick,

Unfortunately, I've had testimony in another docket due today (the 20th). As a result, the SWEPCO draft may not be available today. However, we'll do what we can. We understand the urgency of the schedule in your rate case.

Charles

From: Patrick Pearsall <ppearsall@dwmlaw.com>
Sent: Monday, April 19, 2021 5:34 PM
To: Charles Locke <clocke@spp.org>; Tessie Kentner <tkentner@spp.org>
Subject: **External Email** SWEPCO Rate Case

Charles & Tessie:

Just wanted to check in with you both to see if you are on track to forward Charles's testimony tomorrow.

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
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<image002.jpg>

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From: [Patrick Pearsall](#)
To: [Charles Locke](#)
Cc: [Tessie Kentner](#)
Subject: **External Email** Re: SWEPCO Rate Case
Date: Wednesday, April 21, 2021 9:53:09 AM

Charles,

Thank you for the update. Do you think you'll have the draft to us today? I apologize for the pestering. But we'll need to have the draft in time for the SWEPCO team to review and possibly ask questions before finalizing and preparing the document for filing.

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Subject: **External Email** SWEPCO Rate Case

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From: [Patrick Pearsall](#)
To: [Charles Locke](#)
Cc: [Tessie Kentner](#)
Subject: **External Email** RE: SWEPCO Rate Case
Date: Wednesday, April 21, 2021 10:26:14 PM

Charles,

Thank you for your work on this. I will accept the redlines and get it out to the SWEPCO team to review. There may be questions for you tomorrow as the team reviews your draft. I will try to get these to you as quickly as I can. Will you or Tessie be available tomorrow if we have questions or we need to discuss the testimony?

Sincerely,

Sincerely,

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com

From: Charles Locke <clocke@spp.org>
Sent: Wednesday, April 21, 2021 10:07 PM
To: Patrick Pearsall <ppearsall@dwmrlaw.com>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: RE: SWEPCO Rate Case

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Patrick,

Attached is my draft testimony. Please let me know if you have questions or comments.

Charles

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Wednesday, April 21, 2021 11:06 AM
To: Charles Locke <clocke@spp.org>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case

Great. Thank you for the update.

Sincerely,

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmlaw.com

From: Charles Locke <clocke@spp.org>
Sent: Wednesday, April 21, 2021 11:05 AM
To: Patrick Pearsall <ppearsall@dwmlaw.com>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: RE: SWEPCO Rate Case

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Subject: **External Email** SWEPCO Rate Case

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From: [Patrick Pearsall](#)
To: [Charles Locke](#)
Cc: [Tessie Kentner](#)
Subject: **External Email** RE: SWEPCO Rate Case
Date: Thursday, April 22, 2021 9:27:29 PM
Attachments: [Occidental Chemical Corporation v PJM Interconnection LLC and Delmarva Power And.doc](#)

Charles,

For the Footnote that needed completion, is the attached FERC order the case you intended to cite, specifically Paragraph 15?

Sincerely,

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com

From: Charles Locke <clocke@spp.org>
Sent: Thursday, April 22, 2021 6:16 PM
To: Patrick Pearsall <ppearsall@dwmrlaw.com>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: RE: SWEPCO Rate Case

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Patrick,
Attached is the draft with some additional changes, which are highlighted. There is one more footnote that will need completion.

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Wednesday, April 21, 2021 10:25 PM
To: Charles Locke <clocke@spp.org>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case

Charles,

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Sent: Wednesday, April 21, 2021 11:06 AM
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Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case

Great. Thank you for the update.

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From: Charles Locke <clocke@spp.org>
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Subject: RE: SWEPCO Rate Case

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Sent: Wednesday, April 21, 2021 9:52 AM
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Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** Re: SWEPCO Rate Case

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Patrick

Sent from my iPhone

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Charles

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Charles & Tessie:

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From: [Patrick Pearsall](#)
To: [Charles Locke](#)
Cc: [Tessie Kentner](#)
Subject: **External Email** RE: SWEPCO Rate Case
Date: Friday, April 23, 2021 4:00:38 PM
Attachments: [51415 - Locke RebuttalF.pdf](#)

Charles,

A copy of the as-filed testimony is attached.

Hope you have a great weekend.

Sincerely,

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com

From: Charles Locke <clocke@spp.org>
Sent: Friday, April 23, 2021 2:33 PM
To: Patrick Pearsall <ppearsall@dwmrlaw.com>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: RE: SWEPCO Rate Case

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Thanks. Will you be providing us the as-filed version of my testimony?

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Friday, April 23, 2021 2:28 PM
To: Charles Locke <clocke@spp.org>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case

That makes sense. I hope you both have a great weekend.

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com

From: Charles Locke <clocke@spp.org>
Sent: Friday, April 23, 2021 1:52 PM

To: Patrick Pearsall <ppearsall@dwmlaw.com>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: RE: SWEPCO Rate Case

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Patrick,

I don't think that I have anything that would be considered a work paper. Of course, I made quite a few references to other material in FERC proceedings, tariffs, and MISO PAC discussions, but they can all be found on-line because we have provided meeting dates, docket numbers, etc.

We do have some SPP educational presentations given to SPP stakeholder groups, but we don't make any direct quotations from that material. They really aren't in the nature of work papers.

Charles

From: Patrick Pearsall <ppearsall@dwmlaw.com>
Sent: Friday, April 23, 2021 9:29 AM
To: Charles Locke <clocke@spp.org>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case

Charles,

Can you send me anything that you would consider a workpaper for your testimony. Under the schedule workpapers are due Monday. I don't know that you would have any. Possibly the MISO or SPP presentations you cite. But if you have any, please send them to me.

Sincerely,

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmlaw.com

From: Charles Locke <clocke@spp.org>
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Subject: **External Email** RE: SWEPCO Rate Case

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Sent: Monday, April 19, 2021 5:34 PM

To: Charles Locke <clocke@spp.org>; Tessie Kentner <tkentner@spp.org>

Subject: **External Email** SWEPCO Rate Case

Charles & Tessie:

Just wanted to check in with you both to see if you are on track to forward Charles's testimony tomorrow.

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmrlaw.com | www.dwmrlaw.com
<image002.jpg>

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contain confidential information. If you receive this email in error, please notify the sender,
delete the original and all copies of the email and destroy any other hard copies of it.

From: [Ross, Richard C. \(AEP\)](#)
To: [Charles Locke](#); [Tessie Kentner](#)
Cc: [Patrick Pearsall \(ppearsall@dwmrlaw.com\)](#)
Subject: **External Email** Rebuttal Testimony Assistance Needed
Date: Thursday, April 1, 2021 4:44:28 PM
Attachments: [image001.png](#)
[D. 51415 Direct Testimony and Exhibits of Jeffry Pollock on behalf of TIEC.pdf](#)
[3-31-21 #51415 Eastman Chemical Direct Testimony of Ali Al-Jabir.pdf](#)
[49831_SPP_Locke Rebuttal re BTMG.pdf](#)

Charles/Tessie..... as I discussed briefly with Charles yesterday, we would like some help from SPP in a SWEPCO case in the Texas jurisdiction concerning Behind the Meter Generation and Transmission Service Billing. We believe the issues are very similar to the issues you rebutted in the SPS docket and think much of the testimony could be used in SWEPCO's docket.

- (1) Just to consolidate things together & also provide them to Tessie... attached are
 - a the two pieces of testimony in the SWEPCO case that I believe SPP might help us challenges.
 - b. The rebuttal testimony filed in the SPS docket
- (2) my counsel working on this is Patrick Pearsall who's contact information is below:
Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com
- (3) We are willing to take a first cut at drafting the testimony using what was submitted in the SPS docket. (essentially take the SPS testimony & make it fit the SWEPCO case)
- (4) Assuming you are willing and that approach is agreeable; it would probably be helpful to have a brief call to talk about anything you might want to change or approach differently today.
- (5) Patrick. . Tessie's contact information is as follows:
Tessie Kentner
Managing Attorney
Southwest Power Pool, Inc.
tkentner@spp.org
501.688.1782

Does all of that seem like something that can work?



RICHARD ROSS | DIR TRANS RTO POLICY
ROSS@AEP.COM | D 918 599 2966 | C 918 284 8702
212 E 6TH ST TULSA, OK 74119

From: [Patrick Pearsall](#)
To: [Charles Locke](#); [Tessie Kentner](#)
Subject: **External Email** SWEPCO Rate Case - BTMG Issues
Date: Friday, April 16, 2021 2:14:17 PM
Attachments: [image001.jpg](#)
[49831 - SPSRespTIEC15th.pdf](#)

Charles & Tessie:

Attached is a copy of SPS's responses to discovery requests from TIEC regarding your rebuttal testimony in the SPS rate case. You'll note that there are objections to a few of the requests. That objection went unresolved as the case was settled.

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmrlaw.com | www.dwmrlaw.com



From: [Patrick Pearsall](#)
To: [Charles Locke](#); [Tessie Kentner](#)
Subject: **External Email** SWEPCO Rate Case - Errata
Date: Monday, May 3, 2021 3:04:36 PM
Attachments: [image001.jpg](#)
[51415 Errata to Locke Rebuttal Testimony.pdf](#)

Charles & Tessie:

Attached is the errata filing we discussed on our call earlier. I apologize for not having this sent to you earlier.

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppersall@dwmrlaw.com | www.dwmrlaw.com



From: [Patrick Pearsall](#)
To: [Tessie Kentner](#); [Charles Locke](#)
Cc: [Stacy Bankston](#)
Subject: **External Email** SWEPCO Rate Case - Rebuttal Testimony Review
Date: Monday, April 12, 2021 3:42:25 PM
Attachments: [image001.jpg](#)

Charles & Tessie:

Can you let us know your availability this Friday for a call with the SWEPCO litigation team to review Charles's rebuttal testimony?

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmrlaw.com | www.dwmrlaw.com



From: [Patrick Pearsall](#)
To: [Charles Locke](#); [Tessie Kentner](#)
Subject: **External Email** SWEPCO Rate Case Discovery
Date: Friday, April 30, 2021 2:35:08 PM
Attachments: [image001.jpg](#)
[D. 51415 TIEC's 13th Set of RFIs to SWEPCO.pdf](#)

Charles & Tessie:

Attached is a Request for Information from TIEC concerning Charles's testimony. Because this is rebuttal, there is a quick turnaround time. The responses are due 4 working days from today—so next Thursday. If you want to discuss later today or over the weekend, just shoot me an email and I'll make myself available.

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmrlaw.com | www.dwmrlaw.com



From: [Patrick Pearsall](#)
To: [Charles Locke](#); [Tessie Kentner](#)
Subject: **External Email** SWEPCO Rate Case
Date: Monday, April 19, 2021 5:34:37 PM
Attachments: [image001.jpg](#)

Charles & Tessie:

Just wanted to check in with you both to see if you are on track to forward Charles's testimony tomorrow

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppersall@dwmrlaw.com | www.dwmrlaw.com



From: Charles Locke
To: [Patrick Pearsall](#)
Subject: Accepted: **External Email** SWEPCO Rate Case - TIEC 13th set of RFIs

From: [Tessie Kentner](#)
To: [Ross, Richard C. \(AEP\)](#); [Charles Locke](#)
Cc: [Patrick Pearsall \(ppearsall@dwmrlaw.com\)](#)
Subject: RE: Rebuttal Testimony Assistance Needed
Date: Thursday, April 1, 2021 5:36:04 PM
Attachments: [image001.png](#)

Richard-

SPP is willing to provide testimony for SWEPCO similar to the testimony that we previously provided in the SPS docket and is also agreeable to SWEPCO taking the first cut of the draft testimony. What is the due date?

Also, since SPP is still working remotely, if you need to reach me by phone, my cell will be the faster option. 501-208-3383.

Thanks,

Tessie Kentner
Managing Attorney
Southwest Power Pool, Inc.
tkentner@spp.org
501.688.1782

From: Ross, Richard C. (AEP) <rross@aep.com>
Sent: Thursday, April 1, 2021 4:42 PM
To: Charles Locke <clocke@spp.org>, Tessie Kentner <tkentner@spp.org>
Cc: Patrick Pearsall (ppearsall@dwmrlaw.com) <ppearsall@dwmrlaw.com>
Subject: **External Email** Rebuttal Testimony Assistance Needed

Charles/Tessie ... as I discussed briefly with Charles yesterday, we would like some help from SPP in a SWEPCO case in the Texas jurisdiction concerning Behind the Meter Generation and Transmission Service Billing. We believe the issues are very similar to the issues you rebutted in the SPS docket and think much of the testimony could be used in SWEPCO's docket

- (1) Just to consolidate things together & also provide them to Tessie... attached are
 - a. the two pieces of testimony in the SWEPCO case that I believe SPP might help us challenges.
 - b. The rebuttal testimony filed in the SPS docket.
- (2) my counsel working on this is Patrick Pearsall who's contact information is below:

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com
- (3) We are willing to take a first cut at drafting the testimony using what was submitted in the

SPS docket. (essentially take the SPS testimony & make it fit the SWEPCO case)

- (4) Assuming you are willing and that approach is agreeable; it would probably be helpful to have a brief call to talk about anything you might want to change or approach differently today.

- (5) Patrick... Tessie's contact information is as follows:

Tessie Kentner
Managing Attorney
Southwest Power Pool, Inc.
tkentner@spp.org
501.688.1782

Does all of that seem like something that can work?



RICHARD ROSS | DIR TRANS RTO POLICY

RROSS@AEP.COM | D 918 599 2966 | C 918 284 8702
212 E 6TH ST, TULSA OK 74119

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From: Tessie Kentner
To: Stacy Bankston, Patrick Pearsall, Charles Locke
Subject: RE: SWEPCO Rate Case - Rebuttal Testimony Review
Date: Monday, April 12, 2021 3:53:45 PM
Attachments: [image001.jpg](#)

Our availability on Friday is very limited. The only time I see available is from 10:30-11

Tessie

From: Stacy Bankston <slbankston@aep.com>
Sent: Monday, April 12, 2021 3:48 PM
To: Patrick Pearsall <ppearsall@dwmlaw.com>; Tessie Kentner <tkentner@spp.org>; Charles Locke <clocke@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review

Charles/Tessie, I appreciate having this information as soon as you can review your calendars. Thank you in advance!

From: Patrick Pearsall <ppearsall@dwmlaw.com>
Sent: Monday, April 12, 2021 3:42 PM
To: Tessie Kentner <tkentner@spp.org>; clocke@spp.org
Cc: Stacy Bankston <slbankston@aep.com>
Subject: [EXTERNAL] SWEPCO Rate Case - Rebuttal Testimony Review

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Charles & Tessie:

Can you let us know your availability this Friday for a call with the SWEPCO litigation team to review Charles's rebuttal testimony?

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmlaw.com | www.dwmlaw.com



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From: Tessie Kentner
To: Stacy Bankston; Patrick Pearsall; Charles Locke
Subject: RE: SWEPCO Rate Case - Rebuttal Testimony Review
Date: Monday, April 12, 2021 4:02:49 PM
Attachments: [image001.jpg](#)

Unfortunately, no. We have some quarterly stakeholder meetings happening this week, which makes this week busier than normal. On Monday, we are available from 9-10 and from 1-2.

Tessie

From: Stacy Bankston <slbankston@aep.com>
Sent: Monday, April 12, 2021 3:57 PM
To: Tessie Kentner <tkentner@spp.org>; Patrick Pearsall <ppearsall@dwmrlaw.com>; Charles Locke <clocke@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review

Is Thursday better?

From: Tessie Kentner <tkentner@spp.org>
Sent: Monday, April 12, 2021 3:54 PM
To: Stacy Bankston <slbankston@aep.com>; Patrick Pearsall <ppearsall@dwmrlaw.com>; Charles Locke <clocke@spp.org>
Subject: [EXTERNAL] RE: SWEPCO Rate Case - Rebuttal Testimony Review

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Our availability on Friday is very limited. The only time I see available is from 10:30-11.

Tessie

From: Stacy Bankston <slbankston@aep.com>
Sent: Monday, April 12, 2021 3:48 PM
To: Patrick Pearsall <ppearsall@dwmrlaw.com>; Tessie Kentner <tkentner@spp.org>; Charles Locke <clocke@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case - Rebuttal Testimony Review

Charles/Tessie, I appreciate having this information as soon as you can review your calendars. Thank you in advance!

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Monday, April 12, 2021 3:42 PM
To: Tessie Kentner <tkentner@spp.org>; clocke@spp.org

Cc: Stacy Bankston <slbankston@aep.com>

Subject: [EXTERNAL] SWEPCO Rate Case - Rebuttal Testimony Review

This is an EXTERNAL email. STOP. THINK before you CLICK links or OPEN attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to [redacted] from a mobile device.

Charles & Tessie.

Can you let us know your availability this Friday for a call with the SWEPCO litigation team to review Charles's rebuttal testimony?

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmrlaw.com | www.dwmrlaw.com



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This email and any attachments are for the sole use of the intended recipient(s) and may contain confidential information. If you receive this email in error, please notify the sender, delete the original and all copies of the email and destroy any other hard copies of it.

From: [Charles Locke](#)
To: ["Patrick Pearsall"](#); [Tessie Kentner](#)
Subject: RE: SWEPCO Rate Case
Date: Tuesday, April 20, 2021 12:25:00 AM
Attachments: [image002.jpg](#)

Patrick,

Unfortunately, I've had testimony in another docket due today (the 20th). As a result, the SWEPCO draft may not be available today. However, we'll do what we can. We understand the urgency of the schedule in your rate case

Charles

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Monday, April 19, 2021 5 34 PM
To: Charles Locke <clocke@spp.org>; Tessie Kentner <tkentner@spp.org>
Subject: **External Email** SWEPCO Rate Case

Charles & Tessie:

Just wanted to check in with you both to see if you are on track to forward Charles's testimony tomorrow.

Sincerely,

Patrick Pearsall, Partner
Duggins Wren Mann & Romero, LLP
600 Congress Ave. | Ste. 1900 | Austin, Texas 78701
512-495-8832 (tel.) | 512-744-9399 (fax)
ppearsall@dwmrlaw.com | www.dwmrlaw.com



From: [Charles Locke](#)
To: ["Patrick Pearsall"](#)
Cc: [Tessie Kentner](#)
Subject: RE: SWEPCO Rate Case
Date: Thursday, April 22, 2021 8:03:00 AM

I have availability between 11 and 2 and after 3.

From: Patrick Pearsall <ppearsall@dwmrlaw.com>
Sent: Wednesday, April 21, 2021 10:25 PM
To: Charles Locke <clocke@spp.org>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case

Charles,

Thank you for your work on this. I will accept the redlines and get it out to the SWEPCO team to review. There may be questions for you tomorrow as the team reviews your draft. I will try to get these to you as quickly as I can. Will you or Tessie be available tomorrow if we have questions or we need to discuss the testimony?

Sincerely,

Sincerely,

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmrlaw.com

From: Charles Locke <clocke@spp.org>
Sent: Wednesday, April 21, 2021 10:07 PM
To: Patrick Pearsall <ppearsall@dwmrlaw.com>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: RE: SWEPCO Rate Case

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Patrick,

Attached is my draft testimony. Please let me know if you have questions or comments.

Charles

From: Patrick Pearsall <ppearsall@dwmlaw.com>
Sent: Wednesday, April 21, 2021 11:06 AM
To: Charles Locke <clocke@spp.org>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** RE: SWEPCO Rate Case

Great. Thank you for the update.

Sincerely,

Patrick Pearsall
Duggins Wren Mann & Romero, LLP
512-495-8832 *direct* | ppearsall@dwmlaw.com

From: Charles Locke <clocke@spp.org>
Sent: Wednesday, April 21, 2021 11:05 AM
To: Patrick Pearsall <ppearsall@dwmlaw.com>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: RE: SWEPCO Rate Case

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Patrick,
I made good progress yesterday and hope to get it to you today.

From: Patrick Pearsall <ppearsall@dwmlaw.com>
Sent: Wednesday, April 21, 2021 9:52 AM
To: Charles Locke <clocke@spp.org>
Cc: Tessie Kentner <tkentner@spp.org>
Subject: **External Email** Re: SWEPCO Rate Case

Charles,

Thank you for the update. Do you think you'll have the draft to us today? I apologize for the pestering. But we'll need to have the draft in time for the SWEPCO team to review and possibly ask questions before finalizing and preparing the document for filing.

Patrick

Sent from my iPhone

On Apr 20, 2021, at 12:26 AM, Charles Locke <clocke@spp.org> wrote:

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Patrick,

Unfortunately, I've had testimony in another docket due today (the 20th). As a result, the SWEPCO draft may not be available today. However, we'll do what we can. We understand the urgency of the schedule in your rate case.

Charles

From: Patrick Pearsall <ppearsall@dwmlaw.com>
Sent: Monday, April 19, 2021 5:34 PM
To: Charles Locke <clocke@spp.org>; Tessie Kentner <tkentner@spp.org>
Subject: **External Email** SWEPCO Rate Case

Charles & Tessie:

Just wanted to check in with you both to see if you are on track to forward Charles's testimony tomorrow.

Sincerely,

Patrick Pearsall, Partner
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ppearsall@dwmlaw.com | www.dwmlaw.com
<image002.jpg>

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**SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415**

**SOUTHWESTERN ELECTRIC POWER COMPANY'S RESPONSE TO TEXAS
INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF REQUESTS FOR
INFORMATION**

Question No. TIEC 13-6:

Please provide all communications between SWEPCO and SPP in the preceding 5 years in any way addressing retail Behind-The-Meter (BTM) generation.

Response No. TIEC 13-6:

See TIEC 13-6 Attachment 1 and 2.

TIEC 13-6 HIGHLY SENSITIVE Attachment 2 responsive to this request is HIGHLY SENSITIVE PROTECTED MATERIAL under the terms of the Protective Order. Due to current restrictions associated with COVID-19, this information is being provided electronically and a secure login to access the information will be provided upon request to individuals who have signed the Protective Order Certification.

Prepared By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

Sponsored By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

From: [Jacoby, Jim](#)
To: [Charles Locke](#)
Cc: [Ross, Richard C. \(AEP\)](#)
Subject: **External Email** MOPC action item 303
Date: Friday, July 31, 2020 9:23:21 AM
Attachments: [image001.png](#)

Hi Charles, during the MOPC chairs call today I asked about the action item 303 which was a possible revision request for BTM load reporting for NITS billing. Lanny suggested I touch base with you on this to see if you are already working on something. I think what I would like to consider for a RR is something along the lines of excluding retail BTM and a 1MW threshold at the wholesale level. I think both of these have been accepted by FERC so there may be some precedent to work from. In any case, if you are already working on something let me know. If you want me to submit a RR, I can do that too. And I'm interested in any other thoughts about these exceptions in general. If you want me to set up a call, I can do that. thanks



JIM JACOBY | RTO REGULATORY SPP MGR
JWJACOBY@AEP.COM | D 214 777 1144
1201 ELM STREET, SUITE 4100, DALLAS, TX 75270

From: [Carl Monroe](#)
To: [Jacoby, Jim](#)
Cc: [Charles Locke](#); [Tessie Kentner](#); [Steve Davis](#); [Ross, Richard C. \(AEP\)](#); [Amanda R Conner](#)
Subject: Re: **External Email** Re: [EXTERNAL] Discuss exception for retail QF BTM load
Date: Saturday, June 22, 2019 7:57:41 PM

Thanks!! I will try and update!

> On Jun 22, 2019, at 2:00 PM, Jacoby, Jim <jwjacoby@aep.com> wrote:

>

> let's us mine, thanks

> I'm not sure I can update your meeting invite.

>

> 855-211-6968 passcode 7771144#

>

> Jim Jacoby

> AEP

> [Jwjacoby@aep.com](mailto:jwjacoby@aep.com)

> 214-777-1144

>

>> On Jun 22, 2019, at 10:43 AM, Carl Monroe <cmonroe@spp.org> wrote:

>>

>> This is an EXTERNAL email. STOP. THINK before you CLICK links or OPEN attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to incidents@aep.com from a mobile device.

>>

>> _____
>> Jim, do you want to arrange the conference number?

>> Carl

>>

>>

>> _____
>> From: Jacoby, Jim <jwjacoby@aep.com<<mailto:jwjacoby@aep.com>>>

>> Sent: Friday, June 21, 2019 3:17 PM

>> To: Carl Monroe <cmonroe@spp.org<<mailto:cmonroe@spp.org>>>

>> Cc: Ross, Richard C. (AEP) <rross@aep.com<<mailto:rross@aep.com>>>: Amanda R Conner
<arconner@aep.com<<mailto:arconner@aep.com>>>

>> Subject: **External Email** RE: Discuss exception for retail QF BTM load

>>

>> July 8 10-12 or 2-4 open

>> July 9 2-3:30 open

>> July 10 1-4 open

>> July 11 afternoon open

>>

>> <<http://www.aep.com/>> JIM JACOBY | RTO REGULATORY SPP MGR

>> [JWJACOBY@AEP.COM](mailto:jwjacoby@AEP.COM)<<mailto:jwjacoby@AEP.COM>> | D:214.777.1144

>> 1201 ELM STREET, SUITE 4100, DALLAS, TX 75270

>>

>> From: Carl Monroe <cmonroe@spp.org<<mailto:cmonroe@spp.org>>>

>> Sent: Friday, June 21, 2019 1:39 PM

>> To: Jim Jacoby <jwjacoby@aep.com<<mailto:jwjacoby@aep.com>>>

>> Cc: Richard Ross <rross@aep.com<<mailto:rross@aep.com>>>: Amanda R Conner
<arconner@aep.com<<mailto:arconner@aep.com>>>

>> Subject: [EXTERNAL] RE: Discuss exception for retail QF BTM load

>>

>> This is an EXTERNAL email. STOP. THINK before you CLICK links or OPEN attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to incidents@aep.com<<mailto:incidents@aep.com>> from a mobile device.

>> _____
>> Just to check we are missing some that week (July 4th...) would the next week be ok?
>> Carl
>>
>> From: Jacoby, Jim <jwjacoby@aep.com<mailto:jwjacoby@aep.com>>
>> Sent: Friday, June 21, 2019 1:11 PM
>> To: Carl Monroe <cmunroe@spp.org<mailto:cmunroe@spp.org>>
>> Cc: Ross, Richard C. (AEP) <rross@aep.com<mailto:rross@aep.com>>; Amanda R Conner
>> <arconner@aep.com<mailto:arconner@aep.com>>
>> Subject: **External Email** RE: Discuss exception for retail QF BTM load
>>
>> Sure...For July 1-3, Monday 9:30-noon, Tuesday afternoon, or Wednesday after 10am all pretty much open.
>>
>> <<http://www.aep.com/>> JIM JACOBY | RTO REGULATORY SPP MGR
>> JWJACOBY@AEP.COM<mailto:JWJACOBY@AEP.COM> | D:214.777.1144
>> 1201 ELM STREET, SUITE 4100, DALLAS, TX 75270
>>
>> From: Carl Monroe
>> Sent: Friday, June 21, 2019 1:06 PM
>> To: Jim Jacoby
>> Cc: Richard Ross ; Amanda R Conner
>> Subject: [EXTERNAL] RE: Discuss exception for retail QF BTM load
>>
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please click the 'Report to Incidents' button in Outlook or forward to
incidents@aep.com<mailto:incidents@aep.com> from a mobile device.
>> _____
>> Can we push it into the next week? We have some out this coming week...
>> Carl
>>
>> From: Jacoby, Jim <jwjacoby@aep.com<mailto:jwjacoby@aep.com>>
>> Sent: Friday, June 21, 2019 11:31 AM
>> To: Carl Monroe <cmunroe@spp.org<mailto:cmunroe@spp.org>>
>> Cc: Ross, Richard C. (AEP) <rross@aep.com<mailto:rross@aep.com>>; Amanda R Conner
>> <arconner@aep.com<mailto:arconner@aep.com>>
>> Subject: **External Email** Discuss exception for retail QF BTM load
>>
>> Hi Carl, as I mentioned yesterday, we would like to have a short discussion with SPP staff to talk about a
proposed exception for the BTM load reporting for NITS.
>>
>> In particular, we would like to discuss an exception for Retail BTM load being served with PURPA QF power.
>> The key points are Retail Load only, QF self-supply, and the load and QF power must be behind a retail meter
and not rely on any SPP transmission facility to serve that load with the QF power.
>>
>> I know you said that you wanted to include several other folks from SPP so I'll leave that to you on who to
invite. From AEP, Richard, Amanda Conner, and myself would want to participate. We can explain some of our
thoughts and get any SPP feedback you can offer. I would like to have this call prior to the MOPC if possible. It
looks like we are all available next Friday from 9:30 to noon. I think 30 minutes window is probably sufficient. Are
you all available then?
>>
>> <<http://www.aep.com/>> JIM JACOBY | RTO REGULATORY SPP MGR
>> JWJACOBY@AEP.COM<mailto:JWJACOBY@AEP.COM> | D:214.777.1144
>> 1201 ELM STREET, SUITE 4100, DALLAS, TX 75270
>>
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and destroy any other hard copies of it.

>> <image001.png>
>> <mecting.ics>

From: [Charles Locke](#)
To: [Jacoby, Jim](#)
Cc: [Ross, Richard C. \(AEP\)](#); [Don Frerking](#); [Steve Davis](#)
Subject: RE: MOPC action item 303
Date: Friday, July 31, 2020 12:22:00 PM
Attachments: [image001.png](#)

Jim,

Yes, this is an item that is on SPP staff's plate. Carl was leading the effort and several of us had worked with him on it. The plan is to develop a straw proposal for the membership's consideration. For that purpose, we had conducted the more recent survey. We've also received additional comments from other interested parties. So please forward your comments to Don, Steve, and me. We'll also review your survey responses. If you would like to follow that up with a call, we'd be happy to participate.

Charles

From: Jacoby, Jim <jwjacoby@aep.com>
Sent: Friday, July 31, 2020 9:23 AM
To: Charles Locke <clocke@spp.org>
Cc: Ross, Richard C. (AEP) <rross@aep.com>
Subject: **External Email** MOPC action item 303

Hi Charles, during the MOPC chairs call today I asked about the action item 303 which was a possible revision request for BTM load reporting for NITS billing. Lanny suggested I touch base with you on this to see if you are already working on something. I think what I would like to consider for a RR is something along the lines of excluding retail BTM and a 1MW threshold at the wholesale level. I think both of these have been accepted by FERC so there may be some precedent to work from. In any case, if you are already working on something let me know. If you want me to submit a RR, I can do that too. And I'm interested in any other thoughts about these exceptions in general. If you want me to set up a call, I can do that. thanks



JIM JACOBY | RTO REGULATORY SPP MGR
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1201 ELM STREET, SUITE 4100, DALLAS, TX 75270

**SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415**

**SOUTHWESTERN ELECTRIC POWER COMPANY'S RESPONSE TO TEXAS
INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF REQUESTS FOR
INFORMATION**

Question No. TIEC 13-7:

Please provide all correspondence between SPP and FERC relating to retail BTM generation since January 2016.

Response No. TIEC 13-7:

There are none.

Prepared By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

Sponsored By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

**SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415**

**SOUTHWESTERN ELECTRIC POWER COMPANY'S RESPONSE TO TEXAS
INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF REQUESTS FOR
INFORMATION**

Question No. TIEC 13-8:

Identify any meetings or telephone calls between SPP and FERC relating to the treatment of retail BTM generation since January 2016. Include the date, time, names of participants, and substance of any such communications.

To the extent that SPP received any guidance or direction from FERC concerning this issue, state the name and title of any person providing such guidance and the specific statements made.

Response No. TIEC 13-8:

On January 10, 2018 at 2:00 p.m., SPP staff members Paul Suskie and Sam Loudenslager participated in face-to-face meeting at the Federal Energy Regulatory Commission ("FERC") to discuss behind the meter generation and netting with FERC staff. The attendees included Paul Suskie and Sam Loudenslager from SPP and John Rogers and potentially others from FERC. Meeting calendar invites only indicate that John Rogers was invited but recollection is other FERC employees were in the room that report to John Rogers at FERC. The guidance from John Rogers was that SPP's interpretation of FERC rules and orders on netting of behind the meter generation was correct. Further, for netting of behind the meter to be authorized a filing must be made and approved by FERC before netting is allowed.

Prepared By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

Sponsored By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

**SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415**

**SOUTHWESTERN ELECTRIC POWER COMPANY'S RESPONSE TO TEXAS
INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF REQUESTS FOR
INFORMATION**

Question No. TIEC 13-9:

Is it Mr. Locke's position that all load served by retail behind-the-meter generation must be included in reporting SWEPCO's monthly peak load data to the SPP, even if that load could never be served by SPP's or SWEPCO's transmission or distribution grid (i.e. load that drops off when the retail behind-the-meter generation goes down)? Please explain why or why not.

Response No. TIEC 13-9:

It is Mr. Locke's position that the Network Customer's Network Load shall include all load served by the output of any Network Resources designated by the Network Customer. A Network Customer may elect to designate less than its total load as Network Load but may not designate only part of the load at a discrete Point of Delivery. The SPP Tariff provides no exception to exclude or "net" behind-the-meter generation from Network Load calculations.

Prepared By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

Sponsored By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

**SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415**

**SOUTHWESTERN ELECTRIC POWER COMPANY'S RESPONSE TO TEXAS
INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF REQUESTS FOR
INFORMATION**

Question No. TIEC 13-10:

Identify all other SPP network customers that have load served by retail BTM generation but have not reported it as part of monthly network load in the past 5 years.

Response No. TIEC 13-10:

The Company has filed an objection to this question.

Prepared By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates

Sponsored By: Charles J. Locke

Title: SPP, Dir Transmission Policy & Rates